



Part II of a two-part series on security issues facing courts today

Wildlife to Wildfires—Natural Disasters Test Courts' Mettle

BY JANET BYRON

Like most natural disasters, the one that struck the Alpine County courthouse last winter was impossible to predict: in the dead of night a skittish brown bear burst through the doors and left its "calling card" on the floor.

Luckily, the damage was limited to an unsavory mess and some broken doors. "I don't know what would have happened if people were in the building," Alpine County Courts Executive Officer Karen Keebaugh says with a laugh.

But natural disasters often present much greater challenges to the courts than Alpine County's brush with wayward wildlife. Here in the Golden State, courts have been forced to

deal with a full range of disasters, from devastating earthquakes and raging floods to crippling snowstorms and fast-moving fires. More minor natural disasters that have struck California courts include burst sewage pipes, power outages, and flea and bat infestations. And this winter, there is El Niño to look forward to.

PREPARE FOR UNEXPECTED

"Our joke is, 'We don't do drills. We do disasters,'" says Ruth Goziker, Judicial District Administrator for the Malibu Municipal Courts, which have been shut down numerous times by wildfires, mudslides, earthquakes, and floods.

These unexpected and at times dangerous events present myriad issues for courts to deal with. They must protect people

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Los Angeles Municipal Court Clerk Mark Bohn, left, and Richard Johnson, then-Chief of the Valley Division of the Los Angeles Municipal Court, survey the effects of the January 1994 Northridge earthquake. Photo: Robert Levins, courtesy of the Los Angeles Daily Journal.

Whether they're coping with earthquakes, floods, or snowstorms, California courts exhibit a "can-do" attitude.

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Judicial Council Honors Governor, Jahr, Slater



Governor Pete Wilson



Judge Steven E. Jahr



Alan Slater

Extraordinary dedication to the preservation and enhancement of the justice system is the overriding characteristic that distinguishes the recipients of the fifth annual Judicial Council of California Distinguished Service Awards. For the first time, the Governor of California is among the recipients.

The awards, honoring individuals for their significant and positive contributions to court administration, are presented in three categories: (1) Jurist of the Year Award, (2) Judicial Administration Award, and (3) Bernard E. Witkin Amicus Curiae Award, which honors individuals who are not members of the judiciary but have championed the courts.

Governor Pete Wilson is the first Governor of California to receive the Bernard E. Witkin

Amicus Curiae Award. The other winners of the Judicial Council's highest awards are Shasta County Courts Judge Steven E. Jahr, who was selected Jurist of the Year, and Orange County Superior Court Executive Officer Alan Slater, who is the recipient of the Judicial Administration Award.

The three will receive their awards during the 1998 California Judicial Administration Con-

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Understanding Trial Court Funding

Presiding judges, court administrators, and county executive officers recently received a comprehensive guide to Assembly Bill 233, the Lockyer-Isenberg Trial Court Funding Act of 1997, developed by the Judicial Council/Administrative Office of the Courts (AOC). The binders, mailed in mid-December, were a followup to regional workshops for courts held in November.

Among the contents of the binders are an index to AB 233 and answers to numerous questions resulting from the landmark legislation, on topics such as

budgeting procedures, newly created task forces, and changes in civil fees. In the months to come, the Judicial Council/AOC will continue to disseminate information about all aspects of AB 233.

● Contact: For copies of *Ensuring Equal Access to Justice—The Lockyer-Isenberg Trial Court Funding Act of 1997/AB 233 (Escutia and Pringle): Resource Manual* (December 1997), call the Administrative Office of the Courts' Publications Hotline, 415-904-5980 (CALNET 8-539-5980) or 800-900-5980 (in California).



Chief Justice
Ronald M.
George

Take Note

California's
first State-
wide Com-
munity-

Focused Court Planning Conference will be held May 13 to 15, 1998, in Long Beach. The conference theme is "Courts and Their Communities: Local Planning and the Renewal of Public Trust and Confidence." (See Court News, August-October 1997, "Courts, Community Leaders to Meet for Planning Conference.")

● Contact: Shelley M. Stump, Planning Coordinator, Administrative Office of the Courts, 303 Second Street, South Tower, San Francisco, CA 94107, 415-396-9310 (CALNET 8-531-9310).

MESSAGE FROM THE CHIEF JUSTICE

Planning Goes Hand in Hand With Funding State's Courts

The enactment of the landmark Lockyer-Isenberg Trial Court Funding Act of 1997 provides California's judiciary with a unique opportunity to plan for a future in which stable funding will be a reality. Instead of scrambling to keep the courthouse door open day-to-day, the judicial branch can begin to take the time to craft strategies to better meet community needs and improve the administration of justice for the public's benefit.

The Judicial Council has long recognized the basic goal of providing fair and accessible justice to all. In keeping with this primary focus, the council has emphasized in its Long-Range Strategic Plan the specific goal of improving "service to the public." The plan describes as one of the important components of achieving this goal "increas[ing] public trust and understanding by emphasizing community outreach and education about the court system."

PUBLIC'S CONFIDENCE AT STAKE

To be effective, courts must have the confidence of those they serve. Yet surveys of the public have revealed that views about the courts are mixed, at best. An opinion poll conducted for the Commission on the Future of the California Courts in 1993 revealed that the opinion of the courts held by not quite half of the respondents was "good," "very good," or "excellent." Fifty-two percent thought we were doing only a fair or poor job. These results were consistent with nationwide surveys that have been conducted during the past two decades.

Judicial leaders around the country agree that the lack of public confidence and trust in the system is one of the most significant problems faced by the courts. This perception was reflected in the view of an overwhelming majority of participants gathered from across the United States in 1996 to celebrate the 25th anniversary of the National Center for State Courts.

Lack of confidence in the courts can take numerous forms and have a range of effects. For example, the courts have been striving to demonstrate to our sister branches of government that the judicial branch has the capacity and willingness to manage its own affairs in a responsible manner. I strongly believe that the enactment of the Trial Court Funding Act would not have been possible had the courts not taken affirmative steps over the past several years to demonstrate to the Legislature and the Governor their commitment to good fiscal management and planning.

MORE THAN FUNDING

Insufficient resources all too often have had a negative effect on the courts' ability to meet ever-growing demands from the public. Shorter hours of operation, the difficulty of obtaining services from overburdened clerks' offices, and a scarcity of courtroom interpreters—all these affect the public's view of court operations. Jury service too often is seen not as an opportunity to participate in government, but rather as an irritant, exacerbated by the inefficient use of jurors' time and inadequate facilities to house them. Delay in processing cases means delay in determining the rights of litigants that in turn can have a detrimental impact on their personal lives and business dealings. Once again, the importance of realizing the full promise and potential of state funding is evident.

However, resources alone are not the complete answer to meeting the challenges of our system: helping courts become more responsive to the public, solidifying our relationship with the other branches of government and with local governments, and continuing to improve the functioning of the judiciary as a cohesive branch of government so it can meet the public's expectations in all parts of our state.

PLANNING FOR ALL

The Judicial Council began the process of comprehensive strategic planning in 1991. These efforts have contributed significantly to the judicial branch's ability to make systemwide changes that have brought us into the 20th century and will help prepare us for the 21st. The council is now seeking to assist local courts in creating their own community-focused strategic- and action-planning programs to enable them to respond to local concerns.

With support from a grant by the State Justice Institute, the Judicial Council is planning the first Statewide Community-Focused Court Planning Conference, to be held next spring. Members of the steering committee, led by Judge Judith McConnell of the San Diego Superior Court, bring to the table the breadth and depth of experience, perspective, and expertise essential to the success of this important event. Several members come from the Judicial Council's Special Task Force on Court/Community Outreach, which already has been studying issues involving court-community relationships and holding public hearings aimed at identifying areas for developing outreach programs.

COMMUNITY INVESTMENT IN COURTS

In preparation for the conference, the Coordination Oversight Committee in each county has been asked to select participating teams made up of judges, court administrators, and representatives from the local bar, county government, and the public. The purposes of the upcoming session are to (1) provide a forum and model for joint investment in the improvement of the court system by the courts, the legal community, and the public; (2) make available education on effective strategic and action-planning methods; (3) expose participants to creative model community outreach programs from around California and the United States; and (4) establish local planning processes in the courts. The goal is to give team members the skills to initiate, implement, and institutionalize community-focused court planning in their home communities.

Among the benefits of creating this planning program is the opening of a direct dialogue between courts and the communities they serve. Providing a forum in which court users can inform the courts about their interests and needs will encourage discussions that can uncover shared objectives, yield new insight into the limitations on the role of courts, and give courts a better view of the impact of their practices on the public. Moreover, just as courts can learn more about the concerns of those they serve, the public can get a better understanding of the importance of community participation through jury service, Court Appointed Special Advocate (CASA) programs, and other avenues of public involvement, as well as a recognition of the essential role that a strong and independent court system plays in our society.

THE JUDICIARY LEADS THE CHARGE

By taking the lead in planning activities, the judicial branch can help set the direction and establish priorities for changes in the administration of justice. At the same time, by including and encouraging continuing community participation, the judiciary will be reaffirming in concrete terms its commitment to remaining accountable for its actions in managing the courts.

My trips to the courts of the 58 counties of California frequently involved meetings with not only the local judges and court administrators, but also members of the local bar and representatives of local government. A deep and abiding commitment to improving the administration of justice was apparent at every stop and in every segment of the community. The Community-Focused Court Planning Conference provides an excellent avenue for harnessing some of that enthusiasm and innovation toward improving public understanding of and support for the California courts.

Around the state, despite differences in geography, population density, demographics, and resources, I saw courts working hard to fulfill their commitment to providing accessible, fair, and equal justice for all. This conference can launch a new era of collaboration between local courts, the Judicial Council, and California's communities—a collaboration that can renew public trust and confidence in the administration of justice and the primacy of the rule of law in California's courts. It is a winning proposition for the public and the courts.

Your county's participation is crucial to the success of this statewide court planning conference. We need to have the full complexity and diversity of our great state represented in order to ensure that the conference produces results that truly will serve the needs of the local courts and their communities.

To Keep Public Trust, Courts Must Be Prepared

Active planning for a natural disaster is one of the most important ways that courts maintain the public's trust and confidence, comments Marcus Reinkensmeyer, past-chair of the National Association for Court Management (NACM) Security Guide Subcommittee.

NACM's 42-page "Court Security Guide," published in June 1995, provides practical advice for dealing with violence and natural disasters.

"People should feel safe and secure when they come to court," says Reinkensmeyer, Deputy Administrator of the Arizona Superior Court in Maricopa County (Phoenix).

How will you transfer prisoners out of an earthquake-damaged building? Provide accurate evacuation instructions to employees and litigants? Reconstruct files destroyed in a fire or flood?

"All that needs to be thought through," explains Reinkensmeyer. "The better courts are very proactive on security and disaster recovery."

Reinkensmeyer offers the following tips for disaster planning:

- ✓ Develop written procedures for handling disasters. Then designate department leaders, educate the staff, plan practice drills, and test your plans.

- ✓ Establish intergovernmental agreements with other public agencies, to prevent duplicative efforts and confusion over who is responsible for what during a disaster.

- ✓ Protect the court's information by backing up computers regularly and storing backup data off-site. "Courts are in the information business," notes Reinkensmeyer. "You may not be able to save the data center, but at least you can save your court's data."

- ✓ Install backup power generators to maintain an uninterrupted power supply. "If you can't run the computers, at least you can bring down the system in an orderly way," Reinkensmeyer says.

- ✓ Incorporate disaster planning into all new buildings and renovations.

- Contact: For a copy of "Court Security Guide" (June 1995), contact the National Association for Court Management, 757-259-1841.

Disasters

Continued from page 1

from physical harm, ensure that case files are not lost or damaged, reschedule trials and court dates, and keep the public informed about how building closures will affect their cases.

Time after time, court employees have risen to the occasion, determining what needs to be done and doing it quickly and efficiently. Because the California courts do not have centralized procedures for dealing with natural disasters, their experiences are instructive.

For example, Goziker is the Malibu courts' "disaster manager," the court's central source for information. She updates an emergency information phone line, coordinates with the presiding judge, and stays in contact with police and fire officials. All the courts' data are backed up on a mainframe off-site.

On the other end of the spectrum, the Los Angeles County Superior Court's North Valley District (San Fernando) had "no plans" when the Northridge earthquake shut down the building on January 17, 1994, according to Judge Judith Meisels Ashmann, supervising judge at the time.

EARTHQUAKE CENTRAL

The Northridge temblor was in many ways a worst-case scenario for the San Fernando court. More than a dozen Southern California courthouses were shut down for days or weeks; the North Valley District court has yet to reopen.

"We did not have any place to go. The phones weren't working. We had no communication with downtown," Judge Ashmann says. "They'd beep me, and I'd call back on a cell phone." Judges and staff were emotionally drained, many having experienced personal losses as well.

Judge Ashmann hosted planning sessions twice daily, with doughnuts in the morning and pizza in the afternoon. All available staff, including the judge, got on the phone to call jurors whose trials had been interrupted. Eventually, the entire San Fernando court had to be moved to Van Nuys.

The number-one lesson Judge Ashmann took away from the Northridge quake is to back up files off-site. "We were totally dependent on paper files," she explains. "We had no redundancy built into the system."

With no backups, most files were completely inaccessible after the San Fernando courthouse was condemned. Even after files were slowly brought out of the building, many had fallen off the shelves in a jumbled mess. "We didn't know who was arrested and should be arraigned," Judge Ashmann says.

She is now a strong advocate for disaster planning. "Have an emergency plan in place," the

judge advises, one assuming the worst: no water, no electricity, no files, no juror lists, nothing.

SYSTEM IS FLEXIBLE

Following disasters or other crises, the Chief Justice is usually quick to honor requests for emergency orders, which extend the time periods allowable for arraignments and trials.

Peggy Meyer, Yuba County Municipal Court's Executive Officer/Clerk of the Court, says that after floods forced a several-day evacuation of the courthouse early this year, many litigants asked for continuances. "The judges were pretty flexible and reasonable" with the requests, comments Meyer, who jokes, "We don't know how

Dealing with disasters has compelled courts to develop contingency plans to protect staff and facilities while remaining accessible to the public.

Judges often also decide to go easy on traumatized citizens. When the Santa Cruz County Consolidated Courts' large cement courthouse reopened after the Loma Prieta quake in 1989, some staff and jurors were anxious about sitting inside, recalls court Executive Officer Christine Patton. In addition to providing counseling, the court gave deferrals to jurors "if they were really nervous about being in the building."

In Sonoma County, where the Russian River regularly floods, judges are "a little more lenient on failure to appear" when the water is up, Sonoma County Courts Executive Officer Greg Abel notes.

truthful a lot of them were." The court then sent out letters to schedule new court dates.

Rather than bringing defendants to court, administrators may be forced to find alternative venues following a disaster. In Santa Cruz, Patton arranged for a judge to go over to the jail the day after the Loma Prieta quake. "We did the arraignments in custody," she says.

WINTER RELIEF

In some cases, too much experience with disasters has led courts to change their procedures in anticipation of problems. For example, Alpine County, nestled in the Sierra

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Communications Are Crucial During Disasters

During a natural disaster, the public, the media, jurors, employees, the bar association, and judicial agencies will need information. It is crucial that the court's public information officer (PIO) or designated spokesperson understand in advance how to communicate effectively.

"In a crisis or disaster, many of you would be responsible for providing the public with the most accurate and timely information possible concerning court operations," Marcia Skolnik and Lynn Holton write in their guide, "Communications: How to Handle a Disaster."

Skolnik, Director of Public Affairs for the Los Angeles Municipal Court, and Holton, PIO for California's Administrative Office of the Courts, offer the following tips for managing communications in a disaster:

- ✓ **Choose a single spokesperson:** Designate one person to disseminate consistent messages when disaster strikes. According to Skolnik, the single biggest communications mistake is having "too many people speaking on behalf of the court."

- ✓ **Make a pest of yourself:** The court's PIO or spokesperson must be "in the loop" in order to provide up-to-date information. "Be relentless! You need the right information!" Holton and Skolnik write.

- ✓ **Get it from the top:** Insist on access to the top court administrator. Don't rely on rumors or second-hand information.

- ✓ **Put it in writing:** Prepare press statements to ensure that you give the same information to all media outlets.

- ✓ **Have a plan:** Develop a "Crisis Communications" plan well in advance of an actual disaster.

- ✓ **Keep employees informed:** Use telephone trees, emergency phone message lines, or other means. "Don't let your employees be the last ones to know," Skolnik says.

- **Contact:** To obtain a copy of "Communications: How to Handle a Disaster," contact Marcia Skolnik, Director, Public Affairs Office, Los Angeles Municipal Court, 110 North Grand Avenue, Los Angeles, CA 90012, 213-974-6358.

Disasters

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Nevada, is California's smallest county with just 1,200 residents. Fewer than 800 people are eligible for jury duty.

Compounding the problem of finding enough jurors, snowstorms make the courthouse inaccessible for months at a time.

"Our joke is,

'We don't do drills. We do disasters.' "

—Ruth Goziker, Judicial District Administrator for the Malibu Municipal Courts, which have been shut down by wildfires, mudslides, earthquakes, and floods.

"During the winter, people on the west slope are not called for jury duty because the pass is closed," explains Keebaugh. "I was just tearing my hair out trying to get jurors."

Two years ago, Alpine County developed an innovative plan for dealing with this "predictable" natural disaster. The court now sets aside one week during each quarter for jury tri-

als, and jurors select the quarter they want.

"They know in advance when they have to serve," Keebaugh says. "It's been fairly successful for us. We've had 100 percent turnout. Before, we'd be lucky if half the panel would show."

LESSONS FROM CIVIL DISTURBANCE

Ironically, civil disturbances often spur courts to fine-tune their emergency planning and training. In downtown Berkeley, the Berkeley-Albany Municipal Court is often the locus of demonstrations, notes Presiding Judge Julie M. Conger. "The battle cry de rigueur is to march on the Berkeley courthouse."

The Alameda County sheriffs in charge of security are "always very alert," Judge Conger says, and have extensive training in crowd control and civil disturbances. Likewise, the court staff and judges have learned how to quickly evacuate the building during bomb threats, a useful skill during an earthquake or another natural disaster.

The much larger Los Angeles Municipal and Superior Court system, with hundreds of judges and dozens of locations, was nearly overwhelmed by arrests during the Rodney King riots of April and May 1992.

"It became a logistical problem to take people to court," explains Lieutenant Dennis Beene of the Los Angeles County Sheriff's Department.

Several years ago, Los Angeles opened a 36,000-square-foot Emergency Operations Center to manage the communications and rescue efforts of all public agencies, including the courts, following natural disasters, riots, or other emergencies.

"This is the only building in the country devoted exclusively to emergency operations," says Captain Margaret Beard, also of the sheriff's department. The "nerve center" has "every modern technological advancement," Beard notes.

THINKING AHEAD

Many courts that did not have emergency plans in place when

disaster struck now have them. While the Yuba County courthouse in Marysville was not actually flooded when the waters rose in January, the devastation in surrounding rural areas "made the whole county think about planning," Meyer says. Several county agencies, including the courts, are now "putting together a more finely tuned plan for dealing with floods and fires and other natural disasters."

In Berkeley, Alameda County Superior Court Clerk Paula Gray has taken it upon herself to push for better earthquake preparedness in her workplace. The co-chair of the city of Albany's earthquake preparedness program, Gray believes that it is the court's responsibility to stockpile supplies, bolt bookshelves to the walls, and hold regular evacuation drills.

"I talk about it all the time," Gray explains. "We not only have ourselves to think about, but we have the public in here every day." ■

The Nominees Are...

Nomination forms for the Judicial Council Distinguished Service Awards were sent to all courts. The 10 nominations received were reviewed by the CJAC Planning Committee, chaired by Orange County Superior Court Judge Kathleen E. O'Leary. The committee's recommendations were forwarded to the chairs of the Judicial Council's three internal committees:

Justice Richard D. Huffman, Court of Appeal, Fourth Appellate District, Division One (San Diego), Executive and Planning Committee; Supreme Court Justice Marvin R. Baxter, Policy Coordination and Liaison Committee; and Presiding Justice Roger W. Boren, Court of Appeal, Second Appellate District, Division Two (Los Angeles), Rules and Projects Committee.

● Contact: Claudia Fernandes, Administrative Education, 415-356-6433 (CALNET 8-531-6433).

Honorees

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ference (CJAC)—the state courts' premier educational and recognition event—to be held February 5 to 7 in Monterey.

WITKIN AWARD

Throughout his tenure, Governor Pete Wilson has created an atmosphere in which the independent branches of government may interact and function productively to the greatest benefit of the people of California.

His positive impact on the state's courts has been ongoing and far-reaching. Among his activities, he supported and signed into law Assembly Bill 233, the

tion, he encouraged and supported legislative action to facilitate the timely delivery of justice in death penalty appeals.

These actions are a testament to Governor Wilson's courage and commitment to a strong, independent system of justice for the people of California.

JURIST OF YEAR

Judge Steven E. Jahr was selected for his extraordinary dedication to the highest principles of the administration of justice, in particular for his leadership, optimism, and enthusiasm as the first presiding judge of the fully consolidated Shasta County Courts—one of the first and most fully coordinated courts in the state. He served as presiding judge of the superior court in 1993, 1994, and 1995.

At the state level, he has played a crucial role in trial court funding as the current chair of the Trial Court Budget Commission (TCBC), which directs and oversees the trial court budget submission and allocation processes. A strong and knowledgeable leader, Judge Jahr is well respected for his fairness, impartiality, and skill as a negotiator. He has been a member of the TCBC since its creation in 1993.

Through Judge Jahr's leadership, the courts in Shasta County, though historically underfunded and understaffed, have achieved sound judicial management, increased efficiency, and gained public support and respect. Among his accomplishments, Judge Jahr led the reorganization of the superior court civil calendars to meet delay reduction standards, established a settlement conference calendar and an "expedited trial court" to resolve old civil cases and delay reduction cases, and

led all aspects of the coordination of the superior and municipal courts, including administration, budget, and personnel.

Despite carrying a full caseload, Judge Jahr has devoted whatever time has been necessary to work on and complete projects for the benefit of the public and the courts, such as representing the bench in the courts' massive remodeling project, speaking at public functions, and serving on the faculty of the California Judicial Studies Program and California Judicial College. His accomplishments are evidence of his unique and outstanding administrative abilities and his dedication to making a positive, lasting impact on local court administration.

ADMINISTRATION AWARD

Alan Slater was selected for his significant contributions and leadership in the profession of judicial administration. On the staff of the Orange County Superior Court since 1972, Slater was appointed executive officer in 1981, when he assumed responsibility for all of the court's administrative and nonjudicial functions. He also serves as jury commissioner for the superior and municipal courts and in 1994 assumed responsibility for all superior court clerk functions.

During the past 25 years, Slater has served the courts with dedication and enthusiasm, gaining a national reputation as a progressive and effective administrator. A tenacious promoter of new technology to improve court efficiency and a nationally recognized expert in

the development of innovative technological applications in court management, Slater early on envisioned the court's current Internet site and Intranet page. He co-chairs the Joint Technology Committee for the Conference of State Court Administrators and the National Association of Court Management (NACM), the world's largest association of court administrators, by virtue of chairing the NACM Technology Committee. He is also an active member of the National Judicial Electronic Data and Document Interchange Consortium and other court- and law-related organizations.

Slater has been active in the Judicial Council, serving on, among other committees, the Court Profiles Advisory Committee, Court Administrators Advisory Committee, Court Technology Advisory Committee, and the Blue Ribbon Commission on Jury System Improvement. He also has served as a faculty resource or as an instructor for professional training programs sponsored by such organizations as the Institute for Court Management and National Judicial College.

Slater's leadership and excellence in the advancement of the ideals and principles of modern court management have been acknowledged nationally. In 1995, he received the Distinguished Service Award from the National Center for State Courts. In 1994 he was honored with NACM's Award of Merit for Outstanding Leadership and Dedication to the Association. ■



12 Court Programs Win Prestigious Kleps Award

Mentoring and educating youth about the courts, providing divorced and separated families with comprehensive court and community-based services, offering traffic school online, enabling domestic violence victims to obtain temporary restraining orders in their local courts. . . .

With programs like these, California's courts continue their innovative efforts to improve access and the quality of justice for their diverse public.

Twelve such court programs have been selected to receive the prestigious Ralph N. Kleps Improvement in the Administration of the Courts Award, the Judicial Council has announced.

Named for the first Administrative Director of the California Courts, the award recognizes and honors the contributions made by individual courts to the administration of justice. The award will be presented to the 12 programs during the 1998 California Judicial Administration Conference, scheduled for February 5 to 7, in Monterey. This is the award's seventh year.

The winning programs are described below.

CATEGORY 1

No applications were received.

CATEGORY 2

Placer County Superior and Municipal Courts:

Placer County Peer Court

The program provides juveniles the opportunity to accept responsibility for their behavior and demonstrate accountability to the community while enhancing their respect and understanding of the judicial process. In addition to the courtroom peer court component—where the juveniles are judged by classmates—separate educational, job training, and parent support components distinguish this program from many others. The educational component, currently provided to all high school ninth-graders but with expansion planned to include middle and elementary school students, is designed to be a two-week study unit and involves lessons based on the *Juvenile Justice Handbook* and a series of discussions led by speakers including judges, probation officers, district attorneys, public defenders, and other criminal justice professionals.

Contact: Carl DePietro, Executive Officer, 916-889-6516.

Shasta County Courts: *Shasta County Courts Addicted Offender Program*

The program targets individuals whose drug addictions appear to be the main obstacle to their leading crime-free lives. Drug

court is designed as an alternative to jail for those offenders who have committed more than one drug offense but do not have a history of violent crimes or habitual drug dealing. The program is for a minimum of one year; once in the program the offender must attend alcohol and drug counseling sessions and be tested for drug use on a regular basis. The program, which required the assistance and cooperation of the county probation department and the county alcohol and drug program, has been successful despite limited financial and staff resources.

Contact: Susan Null, Executive Officer, 916-225-5635.

CATEGORY 3

San Bernardino Superior and Municipal Courts:

Forms Automation Program

The program has automated the reproduction and sale of court forms to the public. Prior to the program's implementation, form orders were received and processed in the Central Division from 12 different court sites and returned by courier, resulting in costs of more than \$120,000 annually and requiring hundreds of staff hours. Forms automation, which has virtually eliminated manual procedures, provides the public with immediate access to current updates, saves valuable space and staff time, and prevents the waste of discarded obsolete forms after revisions are made.

Contact: Wendy Sellnow, Court Manager, 909-387-6417.

Santa Clara County Superior Court Family Division: *Santa Clara County Family Court and Family Court Services Comprehensive Program of Intervention*

The program provides families involved in divorce and separation with comprehensive court and community-based services designed to promote the quality and accessibility of justice. It emphasizes the encouragement of family empowerment and decision-making, and healthy functioning through the use of various educational, counseling, mediation, and supportive services, which are made available in a timely manner to serve the diverse needs of the population served.

Contact: Sandra Clark, Director, Family Court Services, 408-299-3741.

Ventura County Superior and Municipal Coordinated Courts: *Interactive Take Home Traffic School*

The program consists of an interactive "take home traffic school," which is available to traffic violators in Ventura County as an alternative to traditional classroom-style traffic schools. The program links the student to a mainframe computer via a rented computer and utilizes traffic school videotapes. At various prompts, the student signs onto the mainframe and is tested on portions of the video. After the tests are completed, they are scored and the grades are downloaded to the individual case files.

Contact: Sheila Gonzalez, Executive Officer and Clerk, 805-654-2965.

CATEGORY 4

Los Angeles Municipal Court: *Implementation of Trial Court Performance Standards*

The program fully implements the Trial Court Performance Standards (TCPS), a self-assessment process that may be used by courts across the country. In addition to being one of the first and largest courts to complete all 68 measures on the local level, the court has developed a process for institutionalization and continuous evaluation of the standards. Furthermore, the court's experiences and recommendations will help facilitate the standards' implementation

by other courts with fewer resources.

Contact: Frederick K. Ohlrich, Court Administrator, 213-974-6171.

Los Angeles County Superior Court and the Administratively Unified Courts: *Los Angeles Superior Court Summer Youth Mentoring Program*

The program was established to provide job training (with pay) for youth in economically challenged communities. The superior court has, for the last three years of the five it has participated in the program, incorporated job training with a strong mentoring program. Professionals outside of the court who participate in the program annually provide guidance counseling.

Contact: John A. Clarke, Executive Officer/Clerk, 213-974-5401.

Los Angeles County Superior Court and the Administratively Unified Courts: *"The Constitutional Rights of the Big Bad Wolf"*

The program teaches young people about constitutional guarantees and the criminal justice system. The Los Angeles County Superior Court undertook this program for use during "Law Day" to address the public's lack of understanding about and confidence in the judicial system.

Contact: John A. Clarke, Executive Officer/Clerk, 213-974-5401.

South Orange Municipal Court: *Domestic Violence Temporary Restraining Orders*

The program enables victims of domestic violence in the south Orange County area to obtain ex parte temporary restraining orders in their local court. These orders are issued on a permanent and regularly scheduled basis to victims referred to the court through a local women's shelter. Historically, domestic violence victims have had to travel 35 miles to the Family Law Court in the city of Orange to

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How They Are Chosen

The programs nominated for the Ralph N. Kleps Improvement in the Administration of the Courts Award are judged on the following criteria: (1) the activity improves the administration of the courts and reflects the intent of at least one of the goals of the Judicial Council's Long-Range Strategic Plan (Access, Fairness, and Diversity; Independence and Accountability; Modernization; Quality of Justice and Service to the Public; and Education); (2) the activity is innovative; and (3) the project is transferable to other courts.

The awards were formerly given in three categories related to court size. The four categories used now are still based on court size, but to a greater extent they are based on judicial position equivalents (JPEs).

The revised categories divide counties into those with (1) 0 to 6.9 JPEs, (2) 7.0 to 23.9 JPEs, (3) 24.0 to 99.9 JPEs, and (4) 100 or more JPEs.

From a field of 31 nominations, the 12 recipients were selected by the nine-member California Judicial Administration Conference Planning Committee, chaired by Orange County Superior Court Judge Kathleen E. O'Leary. The committee was assisted by the Regional Court Assistance Program staff of the Administrative Office of the Courts' Trial Court Services Division, who visited the majority of the courts nominated for the award.

Contact: Scott Beseda, Trial Court Services Division, 415-396-9299 (CALNET 8-531-9299).

Chief Justice's Award Honors San Diego, Sacramento Projects

Courts Recognized for Promotion of Pro Bono Legal Services

The San Diego County Superior Court and the Sacramento Superior and Municipal Courts are the recipients of the second annual Chief Justice's Special Recognition Award, the Judicial Council has announced.

This year, the special recognition award honors courts that have encouraged improved access by promoting pro bono legal services within the judicial branch. Last year, when the award was presented for the first time, it honored courts whose efforts improved access, fairness, and diversity.

The awards will be presented during the 1998 California Judicial Administration Conference, scheduled for February 5 to 7, in Monterey.

The winning programs are described below.

San Diego County Superior Court: *Pro Bono Legal Services for Pro Per Clients*

The court project has directly improved family court access and fairness for low-income pro per clients (persons representing themselves) by providing limited professional help to better focus pleadings and eliminate irrelevant claims and incorrect paperwork.

In August 1994, the court contracted with the local bar for the administration of an organized pro bono program of attorneys, trained as mediators, to guide pro per clients in the filing of initial divorce petitions and, where possible, to mediate re-

lated issues. When an unrepresented client requests divorce forms and asks for help in completing the paperwork, that person is immediately directed to the project desk in the calendar section of the clerk's office. If the client meets income guidelines, a volunteer attorney helps translate the legal terminology, ex-

removed much of the frustration that previously existed.

Mediation, especially in financial issues, has further reduced frustration, improved client satisfaction, and resolved off-calendar filings.

● Contact: Presiding Judge William J. Howatt, Jr., 619-531-3795.

How They Are Chosen

Applications for the Chief Justice Special Recognition Award were evaluated by Administrative Office of the Courts staff and then reviewed by the nine-member California Judicial Administration Conference Planning Committee, chaired by Orange County Superior Court Judge Kathleen E. O'Leary.

● Contact: Scott Beseda, Trial Court Services Division, 415-396-9299 (CALNET 8-531-9299).

plains the steps that must be followed, focuses the pleadings, and helps complete the paperwork accurately.

During the first six months of calendar year 1997, 207 volunteer attorneys donated almost 1,600 hours, assisting 5,000 clients with dissolutions, visitation and support issues, and domestic violence, paternity, guardianship, custody, and miscellaneous family matters. The project has since been expanded to the court's North County Division. By institutionalizing the use of pro bono attorneys to assist pro per clients in domestic and probate courts, the court has saved valuable judicial time and

Sacramento Superior and Municipal Courts: *Sacramento Stand Down Rally*

The courts annually participate in the Sacramento Stand Down, an outreach program sponsored by the Vietnam Veterans of America for homeless veterans who face unemployment, poor physical and emotional health, legal problems, and possible substance abuse and isolation. The program brings together a wide range of preexisting specialized services at one location over a three-day period and offers follow-up services after the event is over.

During the six years the Stand Down has been held, the courts have conducted sessions

on-site "to address criminal law issues which act as barriers to the veterans' participation in employment and the Veterans Administration Mental Health and Drug and Alcohol Treatment Program." Only misdemeanor and infraction violations are adjudicated during the on-site court sessions. A special follow-up calendar is held at the courthouse in the week immediately following the Stand Down to resolve more difficult cases.

Through the efforts of volunteer staff from the court and the public defender's and district attorney's offices, each Stand Down has resulted in resolution of approximately 200 cases a year, clearing the court's docket of cases that might otherwise not be resolved and providing the veterans the opportunity to seek services that they were unable to access previously.

The project improves access to justice for homeless veterans by delivering court services at a location in the community at no cost, thus eliminating economic barriers to resolving their cases and promoting the goal of fairness within the legal system. Moreover, the court's participation in Stand Down encourages teamwork in the community, enhances tolerance and respect for individuals regardless of their circumstances, and creates a level of trust between individuals in the community and the court.

● Contact: Executive Officer Michael Roddy, 916-440-6328. ■

Kleps

Continued from page 5

obtain temporary restraining orders, discouraging many victims from filing them. The program provides a new level of public service to the community and specifically to the victims of domestic violence.

● Contact: Joyce Ziegler, Court Administrator, 714-249-5041.

The Four Municipal Courts of San Diego County: El Cajon, North County, San Diego, and South Bay: *Court Customer Service Training Program*

The municipal courts of San Diego County collaborated on the writing and production of a comprehensive, court-specific Court Customer Service Training Program. The program, which includes two videotapes and accompanying manuals and materials, provides a valuable

resource with which courts throughout the state and country can train staff on court-specific quality customer service.

● Contact: Sharon Lear, Court Administrator, 760-940-4633.

San Diego Municipal Court: *Civil and Small Claims Automated Case Management System*

In an effort to replace existing case management systems to maximize data sharing and to process dates after 1999, the municipal court began work to develop an all-encompassing Interagency Justice Information System (IJIS). However, the increasing level of risk to the municipal courts from continued usage of the aging Civil and Small Claims System, coupled with the cost prohibitions of a fully integrated countywide IJIS system, caused the San Diego Municipal Court to look for an alternative. Working with complete countywide specifications for an IJIS-

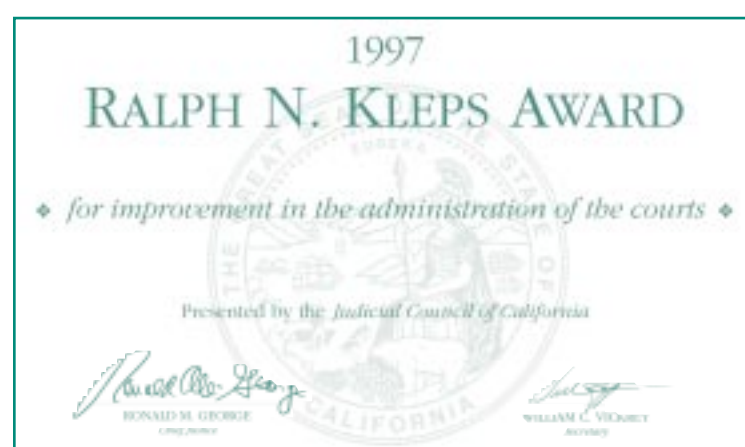
compliant Civil/Small Claims Case Management System, the court developed the Civil and Small Claims IJIS component for courts of limited jurisdiction.

● Contact: D. Kent Pedersen, Court Administrator, 619-531-4175.

San Diego County Superior Court: *Touch-Screen Case Index*

The project converted the superior court's case index database from the county mainframe computer to the court's networked personal computer system, a major systems change that improved customer service and expedited public access through touch-screen computer technology. The in-house control provided by the system allows staff to update the index daily, eliminating former time delays and the cost of duplicate data entry.

● Contact: Kenneth Martone, Court Executive Officer, 619-531-3820. ■



Supreme Security

Bailiffs for State's Highest Court Form an Elite Corps



The security of the Supreme Court justices rests in the able hands of, left to right, bailiffs George Rodgers, Walter Grabowski, and Harry Kinney, who have nearly three-quarters of a century of law enforcement experience among them.

The bailiffs of California's Supreme Court may aspire to be transparent to the public when on duty, but these consummate peace officers provide their charges with protection of the highest order.

The three—Walter Grabowski, Harry Kinney, and George Rodgers—provide primary protection, security, and personal assistance to the justices and are direct employees of the court, hired through a merit selection process.

They have worked together “so long that we think alike and function well together,” says Grabowski, who has been with the high court eight years. Previously he was a Marin County deputy sheriff and also worked at San Quentin State Prison.

Because of that experience—nearly three-quarters of a century in law enforcement among them—“we never assume things are the same,” remarks Rodgers, who has been with the court 28 years and before that was with the California State Police, where he was on then-Governor Ronald Reagan's detail. The bailiffs perform advance work and prepare for the unexpected, adds Kinney, who has been with the court 10 years. Previously he was Special Deputy U.S. Marshal Court Security Supervisor for the Northern District of California and also a deputy sheriff in both San Mateo and El Dorado Counties.

INCREASING DEMANDS

Historic documents indicate bailiffs have worked at the Supreme Court since at least 1860, although their duties have expanded and become more

complicated over the years. Beginning last year, the California Highway Patrol (CHP) joined in helping to coordinate security and providing security to the Courts of Appeal.

The bailiffs routinely provide security at the court's chambers and in court during oral argument in San Francisco, Sacramento, and Los Angeles and confirmation hearings for judicial nominees. Twelve-to-16-hour days are not uncommon for the men, particularly when traveling with the court. Whether traveling or not, the bailiffs arrive early at the court to do a security sweep and do not leave until the justices complete their official functions. In addition, the bailiffs are sensitive to and flexible about the security needs of individual justices and play a key role in protecting them at meetings and events outside the San Francisco chambers.

Much of the security work for the justices is done confidentially and involves numerous details, the bailiffs note. As Grabowski says, “The devil is in the details.”

Each of the bailiffs also has special duties: Grabowski handles administrative functions; Kinney, a distinguished weapons expert, is a firearms instructor; and Rodgers, a senior instructor with the Army Reserve, deals with crime prevention, teaching classes on such subjects as letter bombs and personal security.

SECURE COURT TOUR

Most recently, Kinney accompanied Chief Justice Ronald M. George, his primary charge, on

the Chief Justice's 58-county court outreach tour. Kinney coordinated visits with the sheriff's departments of all the counties and with the CHP to create a “security umbrella”—a challenge in areas where there was no radio or cell phone capability. During the most ambitious leg, they visited six counties in two days.

The year-long project is one that Kinney recalls with fondness and pride. “It involved quite a bit of coordination, but I enjoyed working independently and exercising resourcefulness,” he explains. Chief Justice George observes that his visits “went remarkably smoothly as a result of the combined efforts of [Kinney], who on most visits provided the primary transportation and protective services for me and my companions from the Administrative Office of the Courts, and the coordinated work of the California Highway Patrol and county sheriffs.”

INTENSIVE TRAINING

To match their demanding duties, the bailiffs undergo intensified and expanded training. Today, they are arguably the most highly trained and specialized peace officers in the state. In addition to being certified by the state's Peace Officers Standards and Training program, the men undergo firearms training quarterly, more frequently than the twice-annual state requirement. During the training exercises, they fire more rounds (500) and must achieve a higher rate of accuracy (95 percent) than other peace officers in the state.

The bailiffs need such accuracy because they would not

have the opportunity to fire as would uniformed police officers should the justices be caught in a security breach. “We're talking about close-quarters combat, where the ‘bad guys’ aren't easily identifiable, where we want to prevent unintentionally shooting someone else in the crowd,” explains Kinney. “We have to play catch-up in less than a heartbeat to evade escape and to survive.”

Their training prepares them for that and more. Besides in-service training at the California Highway Patrol Academy for the protection of public officials, the three regularly attend the nation's finest and most demanding training schools, such as those of the U.S. State Department; the federal Alcohol, Tobacco, and Firearms Agency; the Georgia Bureau of Investigation; and the U.S. Marshal. They also attend courses at the elite Federal Law Enforcement Training Center in Georgia, where they learn and are tested on such skills as domestic terrorism, impact weapons training, and counter-terrorist driving. The men credit Clerk of the Supreme Court Robert Wandruff with allowing them to participate in such high-level training.

The bailiffs acknowledge that their responsibilities exert a continual, subtle pressure, so when not at work, the three men enjoy life's less-strenuous pleasures. Grabowski hikes. Kinney, who competes in archery, has won 15 medals in five years at the annual California Police Summer Games and is an Explorer Post advisor with the Boy Scouts of America. Rodgers likes rock hunting as well as attending the opera and ballet.

Still, the men enjoy the challenges of their work. “It's a privilege working for the judges and one of the most influential courts in the nation,” says Grabowski. Rodgers says he finds listening to the cases argued before the court intriguing. “Even though we're transparent people, we're treated cordially by everyone, and the individual justices appreciate what we do,” notes Kinney. ■

Today, the bailiffs are arguably the most highly trained and specialized peace officers in the state.



Bailiff Harry Kinney, right, shows Chief Justice Ronald M. George the medals he won for archery at the California Police Summer Games and the World Police and Fire Games in Calgary, Alberta, Canada. Kinney is the event coordinator for the 1998 California Summer Games in Contra Costa County and will compete in the 1999 World Police and Fire Games in Stockholm.

Courts Show Gratitude for Jurors' Service, Sacrifice

Not Everyone Evades Jury Duty

Any citizen can be summoned for jury duty and serve—even a judge.

Chief Justice Ronald M. George, who had never been called for jury duty before his recent summons to the Beverly Hills Municipal Court (*see story, page 9*), comments, "It was good to see how the system operates from the other side," and observes, "We can do more to better utilize the time and resources of jurors."

In Manhattan, U.S. Magistrate Judge Sharon Grubin appeared for jury duty and was selected for a panel, but the panel was dismissed before the trial began.

Illinois Supreme Court Justice Benjamin Miller was summoned for jury service and appeared in February. He served for a two-and-a-half-day civil trial in which the plaintiff sought damages in a car collision case. Participating as a juror, says Justice Miller, "was a great experience. It was very worthwhile and very assuring to see how the jury system works and to see how conscientiously people undertake their duty when called to serve."

BIG-HEARTED JUDGE

Some courts are doing their best to show they appreciate the sacrifices jurors make, whether they serve for a day or a month.

At the El Dorado County Superior Court, jurors regularly

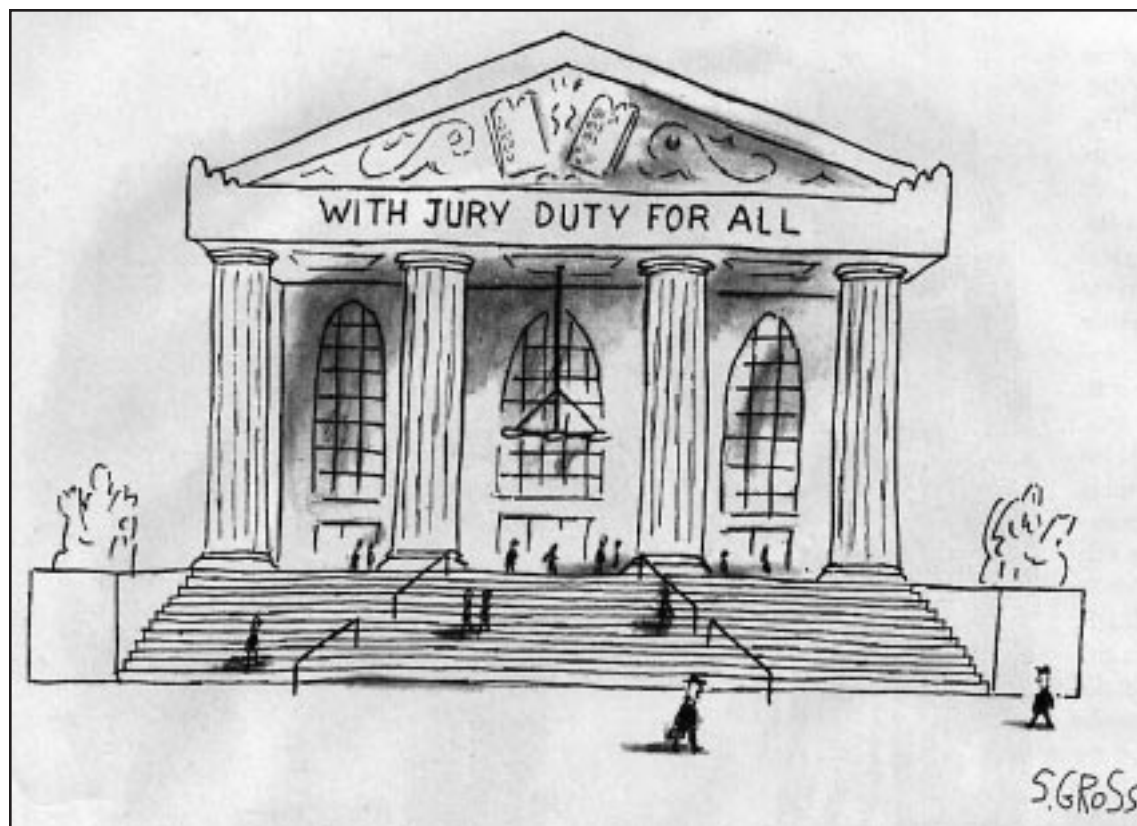
common theme I heard from citizens both prior to running and during the campaign was, 'What are you going to do to make jury duty less onerous? You don't feed us; we get \$5 a day; you don't take care of us.' "

Since she took office, Judge

The overall experience that jurors have means they leave with a positive impression of the court, suggests Judge Kingsbury. She has seen results, with people volunteering at the court in such programs as the Court Appointed Special Advocates and

courts sponsored a fair that included a dozen booths offering everything from services (free blood pressure tests by the American Red Cross) to jobs (recruitment by GTE), a raffle (with donations from area law firms and local merchants), a silent auction (with prizes such as L.A. Dodger tickets and autographed Laker photos), free entertainment (by students from performing arts schools and high schools, and jazz professionals), and hot dogs or taquitos with punch for a dollar.

"The jurors loved it!" Russell exclaims.



Drawing by S. Gross; © 1997 The New Yorker Magazine, Inc.

Kingsbury has made it a point to take care of jurors. In the morning, she may bring in fruit, rolls, or doughnuts, and in the afternoon, another snack. "It's not really a burden," she says. "Staff

developing an interest in working at the court. "I really think that all in all this helps promote a positive role of the court as a resource and part of the community," says Judge Kingsbury.

BIG THANKS

At the other end of the spectrum, the Los Angeles County Superior and Municipal Courts celebrated their second annual Jury Appreciation Week in a big way. The event, scheduled during the second week of May by a Board of Supervisors resolution, was an occasion for staff at more than 30 courthouse locations to regale jurors with merchant discounts, free services, food, and entertainment, not to mention raffles, silent auctions, and certificates of appreciation (7,000 certificates were handed out countywide).

Jury Services Program Analyst Beverly Russell, a driving force behind the event-filled week, says the activities covered a wide range: at Compton, line-dancing lessons were offered at lunchtime, and raffles awarded dinners at area restaurants and gift certificates; at Alhambra, judges barbecued for jurors at a potluck; at Santa Monica, there were free movies. At the Civic Center Mall, the downtown

GROWING EVENT

Los Angeles's 1997 Juror Appreciation Week far surpassed last year's event, when courts offered jurors candies, cookies, and water, says Russell.

Large or small, courts can tailor their juror appreciation efforts to the community, suggests Russell, and should start planning early. Jury Appreciation Week, she says, is an opportunity to thank not only jurors, but also their employers, who are paying for their employees to serve. Ideally, Russell says, she would like to see courts across the nation observe Jury Appreciation Week at the same time.

The court also is making an effort to combine service to jurors and community involvement by training volunteers to become jury docents. The volunteers will act as concierges in the jury assembly room on enpanelment days. Following a three-day training, during which the volunteers learn the policy and procedures governing juries, they will be able to help in juror orientation and answer jurors' questions. The first jury docents will be used at the courthouses downtown and in Van Nuys, to be followed in January by the courthouses in Long Beach and Santa Monica. ■

In Los Angeles County, jurors are regaled with food, entertainment, and prizes, while in El Dorado County, a judge regularly provides them with refreshments.

enjoy the tasty rewards of Judge Suzanne Kingsbury's big-hearted efforts to show jurors the court cares about them.

Because the court lacks an eating facility and the nearest restaurant is across a busy street and difficult to reach in inclement South Lake Tahoe weather, Judge Kingsbury regularly provides morning and afternoon refreshments, paid for from her own pocket.

"When I decided to run for judge, I began thinking about what changes I might be able to bring to the bench that had not been considered in the past, ways in which I could make a difference," says Judge Kingsbury, who was elected in November 1996.

"We live in a small community, so you get to know a lot of people," she explains. "The

sometime volunteer to do the shopping, and we've actually had staff voluntarily make things for jurors."

KINDNESS APPRECIATED

In questionnaires following their service, jurors have indicated that they "really appreciated the simple act of kindness and courtesy," Judge Kingsbury continues. "I actively solicit suggestions from jurors about how we can make their service more meaningful and comfortable. I will allow jurors to ask questions, and people appreciate that." During an eight-week trial, she notes, "We celebrated birthdays like a family."

"I have no problems getting a jury," says the judge, even though she says she is "somewhat liberal" in allowing excuses for hardships.

This article is reprinted by permission of the San Francisco Daily Journal. It appeared in the San Francisco and the Los Angeles Daily Journal on July 16 and 17, respectively.

Chief Justice Sees Court From Other Side of Bench—As Juror

BY PHILIP CARRIZOSA
DAILY JOURNAL SENIOR WRITER

San Francisco—Chief Justice Ronald M. George is putting his money where his mouth is. The state's top jurist is on jury duty.

George, who has been urging greater public participation in the legal system, is on jury call for the next several days for jury duty in the Beverly Hills Municipal Court.

The chief justice reported for jury duty Monday and spent most of the morning in the jury assembly room, according to Lynn Holton, a spokeswoman for the state Supreme Court. He was later sent to Judge Judith Stein's courtroom for a medical malpractice trial estimated to last three weeks.

Court officials said Stein did not immediately recognize George's presence in the jury pool. She finally spotted him after several other prospective jurors left the courtroom.

As it turned out, George was among those who said it would be a hardship to serve on such a

long case. He was then excused and placed back on call for shorter cases, said Holton.

Normally, the chief justice presides over the state Supreme Court's weekly Wednesday conferences at which the justices vote on which cases to hear or let stand.

But George remained in Beverly Hills on Wednesday in case he was needed as a juror there. The court's internal conference memos were shipped to the chief justice at his home, and he participated in the conference by sending materials over a fax machine.

Holton said George refrained from relying on his lofty judicial position to avoid jury service.

"He's been urging people to participate in the process so he wanted to set an example," she said.

"You always learn something from being on the other side of the process," Holton quoted George as saying.

Since his appointment as chief justice last year, George has been touring the courts in

each of the state's 58 counties to learn about local problems and solutions.

George has been interested in increasing pay for jurors from \$5 to \$40 a day and making jury service easier to endure.

Under the system used in Beverly Hills, George must call in twice a day to see if he's needed—once at 11:30 a.m. for afternoon duty, then after 5 p.m. for jury service the next morning.

If called, George could serve as juror in either the Beverly Hills Municipal Court or West

Los Angeles Municipal Court since the two courts share the same jury pool, said Holton.

It is rare, but not unprecedented, for the head of one of the branches of government to serve on a jury.

In New York, Chief Judge Judith Kaye of the Court of Appeals, that state's highest court, was called to jury service.

In 1981, then-Governor Jerry Brown not only served on a jury but was elected foreman in a case involving a Yugoslavian immigrant tried on malicious mischief charges in Sacramento.

Brown voted with his fellow jurors to acquit the defendant.

More recently, former Secretary of State Warren Christopher served a stint as a juror in Beverly Hills. ■

Documentary Captures Jury Deliberations

"Enter the Jury Room," a CBS Reports documentary, offers viewers an inside look at jury deliberations in three criminal cases in Maricopa County (Arizona) Superior Court. The two-hour documentary, which aired April 16, reveals the fascinating dynamics and discussions as citizens decide the fates of the accused.

Through a special order pertaining only to this circumstance, the Arizona Supreme Court allowed the superior court in Phoenix to obtain the permission of all parties involved in the remote-control videotaping. Court officials allowed the unusual event because they wanted to demystify the jury deliberation process and help restore public faith in the system.

● Contact: To order copies of "Enter the Jury Room," call CBS Video, 800-934-6397. The videotape costs \$24.98 plus shipping, handling, and sales tax.

Judicial Council Strategic Plan: Lighting the Path to the Future

The Judicial Council has made two noteworthy changes to its Long-Range Strategic Plan, "Leading Justice Into the Future." Revised Goal IV, Quality of Justice and Service to the Public, clearly emphasizes the council's commitment to service to the public. Goal II, Independence and Accountability, delineates independence both for the branch as a whole and for individual judicial decision-making.

The plan, which the council adopted at its May 16 business meeting, has been published in two formats: as a booklet and a brochure.

USEFUL RESPONSES

Besides the refinements to Goals II and IV, the latest version of "Leading Justice Into the Future" includes appendices with the following:

- ✓ Results of both national and statewide surveys on trends affecting the courts;
- ✓ Action responses to court trends that were provided by the state's court leaders at the 1997 California Judicial Administration Conference; and
- ✓ A new format for the Administrative Office of the Courts/Advisory Committee Action Plan that focuses on the Judicial Council's policy priorities for fiscal year 1998-99.

Both the booklet and brochure have been widely distributed to all presiding judges and court adminis-

trators, Judicial Council members, council advisory committee members, state court administrators across the United States, the National Center for State Courts, the Federal Judicial Council, and a broad range of people and organizations across the country interested in court planning.

● Contact: For copies of the booklet or brochure of "Leading Justice Into the Future" to distribute to members of the bench, court staff, or interested parties, call the Administrative Office of the Courts' Publications Hotline, 415-904-5980 (CALNET 8-539-5980) or 800-900-5980 (in California). The publication is also available on the "Online Reference Shelf" of the Judicial Branch Web site at www.courtinfo.ca.gov.



Justice Richard D. Huffman

Justice Huffman chaired the Judicial Council's Task Force on Photographing, Recording, and Broadcasting in the Courtroom.

Take Note

Copies of "Photographing, Recording, and Broadcasting in the Courtroom: Guidelines for Judicial Officers" are available from the Administrative Office of the Courts' Publications Hotline, 415-904-5980 (CALNET 8-539-5980) or 800-900-5980 (in California). The publication is also available on the "Online Reference Shelf" at the Judicial Branch of California Web site at www.courtinfo.ca.gov.

MESSAGE FROM THE JUDICIAL COUNCIL

Trial Judges May Hold Key to Effectiveness Of Revised Rule of Cameras in Court

BY JUSTICE RICHARD D. HUFFMAN
COURT OF APPEAL, FOURTH APPELLATE DISTRICT, DIVISION ONE (SAN DIEGO)

The dispute regarding whether and to what extent cameras should be allowed in California courts has existed at least since 1965, when the first version of rule 980 of the California Rules of Court was enacted. After a period of experimentation, the Judicial Council in 1980 adopted a permanent rule allowing film and electronic coverage of the courts, subject to certain limitations. That version of the rule remained in effect until 1997.

In the wake of the O. J. Simpson criminal trial, Governor Pete Wilson wrote to then-Chief Justice Malcolm M. Lucas, requesting that the Judicial Council revisit rule 980 in order to determine, among other things, whether cameras should be excluded in all criminal cases. In response, the Chief Justice created a 13-member task force to examine rule 980 and report any recommended changes to the council.

The task force conducted a public hearing and reviewed a substantial volume of written submissions from persons representing the media, victims, attorneys, and other interested groups. The task force also polled the California judges and attended a public forum on the issue of film and electronic coverage.

JUDICIAL DISCRETION RETAINED

The task force's efforts resulted in a revised rule passed by the Judicial Council effective January 1, 1997. That rule continues the power of judges to grant or reject requests for electronic and film coverage of the courts. In brief summary, the rule:

- Retains judges' discretion over the use of cameras in all areas, including all pretrial hearings in criminal cases;
- Prohibits camera coverage of jury selection, jurors, or spectators in the courtroom; and
- Lists 19 factors a judge must consider in ruling on a request for camera coverage, including the importance of maintaining public access to the courtroom, the privacy rights of the participants in the proceedings, and the effect on the parties' ability to select an unbiased jury.

Cameras will continue to be banned from proceedings held in chambers or closed to the public; conferences between an attorney and a client, a witness, or an aide or between attorneys; and conferences between counsel and the judge at the bench.

In passing the new rule, the council was particularly concerned that judicial discretion not only be retained, but also that it be made clear that trial judges were the

persons in the best position to evaluate the competing interests and to grant, deny, or modify media requests. It had become apparent over the several years prior to creation of the task force that many trial judges believed they did not have full discretion in this area and were required to grant media requests. The revised rule reaffirms the broad discretionary power of the trial courts.

The new rule does include a number of guidelines for trial judges to consider in order to attempt to assist courts in working through the sometimes difficult as well as contentious discussions of requests for media coverage in individual cases. However, by also making clear that trial judges are not required to hold hearings or issue statements of decision, it was hoped judges would recognize the broad scope of their discretion.

IMPLEMENTATION STUDY UNDER WAY

The changes made in revised rule 980 represented a series of compromises between opposing views. It was thought, therefore, that some continuing study of the actual implementation of the rule should be conducted. Accordingly, the Chief Justice requested that each court submit to the Administrative Office of the Courts (AOC) copies of the completed forms for media requests and the court's orders. It was hoped that such a method of data collection would be the least burdensome and yet give the council a chance to determine how this rule actually works and whether there is a need for changes or clarifications in either the forms or the rule.

Unfortunately, we have not had great success thus far in obtaining data from the courts. At the present time, the AOC has received responses from only 18 percent of the courts; therefore the data received are too limited to make serious judgments as to the impact of the rule changes. Greater efforts will have to be made by both the AOC and the individual courts to find ways to get more data from the trial courts.

INSUFFICIENT, INCONCLUSIVE DATA

What have we learned from the responses so far? If you ask a news director from a television station or attend a media conference (and they find out you are associated with the courts), you will hear numerous stories that trial judges are excluding the film and electronic media in record numbers. Is that perception true? We cannot tell from the data we've received so far because of the limited response to the Chief Justice's request to submit the completed forms for media requests and court orders.

What do we know about the implementation of new rule 980 and its forms? The AOC has received 410 forms so far. Of those, 84 percent represented closed matters (i.e., the trial court's decision has been made) and provided both the request and the order. From those forms it appears overall that 77 percent of the requests were granted and 23 percent were refused.

Examining the data a bit closer, we noted that it appears the responding courts tend to close pretrial matters more often than trial or posttrial proceedings. The responding courts denied requests for coverage of arraignments in 34 percent of the cases, pretrial proceedings in 27 percent of the cases, and change of plea hearings in 31 percent of the cases. On the other hand, requests to cover trials were denied in only 17 percent of the cases.

The tentative data are interesting because much of the concern expressed about possible prejudice to litigants related to media coverage of pretrial proceedings, where such coverage potentially influenced identification, witness reliability, and the ability to obtain an impartial jury. Thus, to the extent that the data received so far indicate that trial judges have been somewhat more negative regarding pretrial requests for coverage, this would be consistent with long-standing concerns of the trial courts and the litigants. Obviously, there is a clear need for better reporting from the courts if the council is to accurately assess the impact of the changes it made to rule 980.

Continued on page 11

Use of Rule 980 Forms: Highlights

Approximately 18 percent of courts (33 out of 187) have responded to the request from the Administrative Office of the Courts (AOC) for copies of their completed Forms MC-500 (*Media Request to Photograph, Record, or Broadcast*) and MC-510 (*Order on Media Request to Permit Coverage*).

The AOC is attempting to determine how revised rule 980 of the California Rules of Court is working and whether there is a need for changes or clarifications in either the forms or the rule.

For the period January 1 through July 31, 1997, the AOC received copies of 410 forms from the courts. The Kern County Superior Court, San Diego County Superior and Municipal Courts, and Santa Clara County Municipal Court have supplied the most forms.

Of the copies of forms received,

- ✓ 84 percent of the requests were closed (copies of both the request and the order were received):
 - 77 percent of the closed requests for coverage were granted, and
 - 23 percent of the closed requests for coverage were denied;
- ✓ 16 percent of the requests were pending (only Form MC-500 was received);
- ✓ 70 percent of the requests were for TV or TV and audio coverage;
- ✓ Requests to cover arraignments (28 percent) represented the largest proportion, followed by trials (25 percent) and pretrial proceedings (12 percent);
- ✓ The majority of MC-510 forms granted the coverage request but did not require the media agency to pay increased costs; and
- ✓ Incomplete or incorrectly completed forms are prevalent.

● Contact: Questions about the data collection project should be directed to Judicial Council Services, 415-356-6613 (CALNET 8-531-6613), or e-mail: jcservices@courtinfo.ca.gov.

Post-Romero Habeas Procedures Are Clarified

BY PLACER COUNTY
SUPERIOR COURT
JUDGE J. RICHARD COUZENS

People v. Superior Court (Romero) (1996) 13 Cal.4th 497 was fully retroactive. In footnote 13 of the landmark decision, the Supreme Court noted that any defendant then serving a three-strikes sentence "imposed by a court that misunderstood the scope of its discretion to strike prior felony allegations . . . may raise the issue on appeal, or . . . file a petition for habeas corpus to secure reconsideration of the sentence."

In the intervening months since *Romero*, appellate courts have debated the standing of defendants whose trial records were silent on the issue of judicial discretion. A number of courts held that, given the uncertain state of the law regarding the ability of courts to strike prior convictions, a defendant was not required to bring a motion in the trial court or otherwise establish that the court "misunderstood the scope of its discretion" prior to raising the issue on appeal. (See, e.g., *People v. Allen* (1997) 53 Cal.App.4th 1127; *People v. Milton* (1997) 55 Cal.App.4th 365; *People v. Bierman* (1997) 56 Cal.App.4th 1104.) A number of other courts found that a silent record constituted a waiver of the issue on appeal. (See, e.g., *People v. Alvarez* (1996) 49 Cal.App.4th 679; *People v. White Eagle* (1996) 48 Cal.App.4th 1511; *People v. Askey* (1996) 49 Cal.App.4th 381.)

LIMITED RIGHT TO RECONSIDERATION

The Supreme Court, in *People v. Fuhrman* (1997) 16 Cal.4th 930, determined that there is no right to request reconsideration of a pre-*Romero* sentence on appeal if the record is silent on the issue of whether the court would have exercised its discretion to dismiss

AVENUES FOR RELIEF

The Supreme Court did not foreclose all avenues of relief for an inmate who felt that there was a meritorious basis for reconsideration of a sentence. The defendant was entitled to raise a claim through a petition for writ of habeas corpus. The court outlined the procedure:



a prior conviction. "Taking into consideration the interests of the administration of justice throughout the state, we do not believe it is necessary, or appropriate, to compel a new sentencing hearing in every pre-*Romero* case in which the record is silent as to whether the trial court understood it retained discretion to strike one or more prior felony conviction allegations under section 1385. The procedure urged by defendant . . . would entail an unduly cumbersome and costly process, necessitating the transportation of a large number of inmates from prisons around the state to the various courts . . . regardless of whether any realistic possibility exists that the trial court would have exercised its discretion to strike one or more qualifying prior convictions." (*Id.* at p. 946.)

1. The petitioner should "file a petition for writ of habeas corpus in the sentencing court, setting forth the circumstances that would support setting the matter for a new sentencing hearing and striking one or more of the prior serious or violent felony convictions pursuant to the provisions of section 1385." (*Id.* at p. 946.)

2. The sentencing court should then review the petition to determine if it has "possible merit." The court could summarily reject the petition if the record reflected that the court understood that it had the authority to dismiss a prior, but declined to do so or would not have exercised such authority in any event. (*People v. Superior Court (Romero)*, *supra*, 13 Cal.4th at p. 530, fn. 13.) The court also could summarily reject the petition if the defendant was sentenced in accordance with a negotiated plea. (*People v. Cepeda* (1996) 49 Cal.App.4th 1235; *People v. Cunningham* (1996) 49 Cal.App.4th 1044.)

3. If the court determines that the petition has "possible merit," it may seek "an informal response" from the prosecution or issue an order to show cause

explaining why the petition should not be granted. The court did not define "informal response." Nothing in *Fuhrman* indicates that the court in requesting such a response is relieved from the provisions of rule 260(d) of the California Rules of Court, which restricts ex parte communications on matters related to allegations in a petition for writ of habeas corpus. A copy of the request for the informal response, and the response when received, should be sent to petitioner. Petitioner should be given a reasonable opportunity

to comment on the informal response before the court issues an order on the petition. Under no circumstances should the court solicit telephone or other oral communications with the district attorney.

4. If "the petition fails to establish any basis upon which to invoke its discretion under section 1385, the court may summarily deny the petition." (*People v. Fuhrman*, *supra*, 16 Cal.4th at p. 946.) Presumably the trial court, either before or after the request for an informal response, could deny the petition because of the nature of defendant's background or the circumstances of the current offense.

If the court does grant reconsideration of the sentence and resents the defendant to state prison at a later hearing, the court should recompute the credits against the sentence, including *actual* time in state prison incurred from the date of the original sentence; *conduct credits* earned during the period of state prison commitment are to be determined by the Department of Corrections. (*People v. Honea* (1997) ____ Cal.App.4th ____ [97 Daily Journal D.A.R. 11869].) ■



Judge J. Richard Couzens

Judge Couzens is a member of the Judicial Council and immediate past chair of its Criminal Law Advisory Committee.

Message From the Judicial Council Continued from page 10

CLARIFYING GUIDELINES

It is also clear from questions received by the AOC and from some of the forms received from the courts that there is some confusion, particularly by media representatives, as to how to prepare and submit the forms required by the rule. One possible source of assistance to users of the form is the booklet written by the task force with the considerable assistance of AOC staff. The booklet "Photographing, Recording, and Broadcasting in the Courtroom: Guidelines for Judicial Officers," published this year, contains a considerable amount of information about the rule, its implementation, and the use of the required forms. Judicial officers dealing with media requests should have that booklet available to them. It would also be helpful to either provide copies of the booklet to media agencies in each jurisdiction or have it available for their use.

Undoubtedly, time and further experience will reveal areas where modification of either the rule or the forms may be appropriate. In the meantime, it does not appear that trial judges are "throwing the bums out." It does appear, however, that trial judges are successfully using the broad discretionary powers granted them by the rule. Perhaps the council was right when it concluded that trial judges are the persons in the system best suited to effectively balancing the competing interests in this volatile area. Time will tell.





Court Interpreters

English fluency exam offered

The English fluency examination for registered interpreters will be offered on February 7, 1998, in Fresno, Los Angeles, Sacramento, San Diego, and Contra Costa Counties. The final application filing date for the exam is January 9.

Registered interpreter applicants are not required to meet prerequisites to apply for the examination. However, they are cautioned that court interpreting requires exceptional English language skills, exceeding those required for informal bilingual conversation.

The nonrefundable filing fee for the Registered Interpreter English Fluency Examination is \$100, payable to Cooperative Personnel Services by money order or cashier's check only. It entitles the applicant to participate in one examination (written examination and oral English fluency component). An application and the full \$250 filing fee must be submitted each time a person wishes to take the examination.

● Contact: To obtain applications, call Cooperative Personnel Services, 916-263-3490 (24-hour number) and leave a message.

Orientation, ethics workshop dates announced

The Judicial Council has announced the 1998 orientation and ethics workshop dates for court interpreters.

ORIENTATION WORKSHOPS

All registered interpreters of nondesignated languages must attend an Orientation Workshop within two years of registering with the Judicial Council. The following are dates for the Court Interpreter Orientation Workshops:

FEB 21: Oakland (Northern California)

MAR 21: Orange County (Southern California)

The registration fee for each workshop is \$65. Workshop locations will be announced in the confirmation notice.

ETHICS WORKSHOPS

The Court Interpreter Ethics Workshop is a continuing education requirement for registered interpreters during their first compliance period. February 16 is the last opportunity to complete the Ethics Workshop if

interpreters have a 1997 compliance date but have not yet satisfied this requirement.

The following are workshop dates:

FEB 16: Oakland (Northern California)

MAY 30: Orange County (Southern California)

● Contact: Debbie Chong-Manguiat, Court Interpreters Program, Court Program Services, 415-396-9159 (CALNET 8-531-9159). ■

Take Note

An English-only practice written examination,

designed to measure basic language skills, is

available for \$15 payable

to Cooperative Personnel

Services by money order

or cashier's check only.

● Contact: To purchase

a copy of the practice

written examination,

send a written request to

Cooperative Personnel

Services, Interpreter

Program Division, 191

Lathrop Way, Suite A,

Sacramento, CA 95815.

1998 Interpreter Examination Dates

The following are 1998 dates and locations for the State Certification Examination for Court Interpreters in English and Spanish, and in English and Arabic, Cantonese, Japanese, Korean, Portuguese, Tagalog, and Vietnamese. Final dates for filing applications to take the exam are also listed.

ENGLISH AND SPANISH:

Written Examination Date: FEB 14

Final Filing Date: JAN 16

Oral Examination Dates: MAR 16–APR 3

Final Filing Date: FEB 13

ENGLISH AND ARABIC, CANTONESE, JAPANESE, KOREAN, PORTUGUESE, TAGALOG, AND VIETNAMESE:

Written Examination Date: APR 18

Final Filing Date: MAR 20

Oral Examination Dates: MAY 18–29

Final Filing Date: APR 17

Written exams will be offered in Contra Costa, Los Angeles, and Sacramento Counties.

Applicants who pass the Court Interpreter Written Examination are eligible to participate in the Court Interpreter Oral Performance Examination for a period of two years from their date of passage of the written examination. However, for fiscal year 1997–98 only, applicants who pass the written examination are eligible to participate in the oral examination component for three years from their date of passage of the written exam.

Applicants certified as Administrative Hearing Interpreters after January 1991 are eligible to take the Court Interpreter Oral Performance Examination without taking the written examination.

The nonrefundable filing fee for the State Certification Examination for Court Interpreters is \$250, payable to Cooperative Personnel Services by money order or cashier's check only. It entitles the applicant to participate in one examination cycle (applicants take the written exam once; successful applicants then immediately take the oral performance examination). An application and the full \$250 filing fee must be submitted each time a person wishes to take the examination.

● Contact: To obtain applications, call Cooperative Personnel Services, 916-263-3490 (24-hour number) and leave a message.



Focus:
Washington

Information in this column is provided by the Judicial Council's Office of Governmental Affairs.

Juvenile justice reform offers incentive grants

As previously reported in this column, a number of bills seeking to overhaul the juvenile justice system are awaiting action in the Senate Judiciary Committee. Of particular interest to California courts, three measures, House Bills 3 and 1818 and Senate Bill 10, contain provisions tying millions of dollars in grant moneys to state implementation of policies that Congress feels are necessary to achieve successful juvenile justice reform. Because even a dramatic increase in the federalization of juvenile crime would have little effect on the nation's juvenile justice system—in 1995, the federal courts adjudicated only 122 juveniles—Congress views state court implementation of these policies as vital.

By authorizing approximately \$500 million a year in incentive grants to states if they conform to congressional guidelines, Congress seeks to entice the states into changing their juvenile justice systems. For a state to receive these new grant moneys, Sen. 10 would require, in part, that "... a state shall make reasonable efforts, as certified by the Governor, to ensure that [it], not later than July 1, 2000," will try juveniles 14 and older as adults for serious felonies; impose increasingly serious punishment for repeat offenders; conduct drug tests on juveniles arrested on felony charges; maintain records on juveniles in the same fashion as adults; and report juvenile records to designated law enforcement agencies, courts, and schools.

● Contact: June Clark, Office of Governmental Affairs, 916-653-2362 (CALNET 8-453-2362). ■



Court Interpreter Information Online

To obtain the latest information about the Judicial Council Court Interpreters Program, visit the Judicial Branch Web site at www.courtinfo.ca.gov and click on "Administrative Office of the Courts."

You'll find the following information:

- 🖨 Test dates for the 1997–98 Court Interpreter State Certification Examinations;
- 🖨 Judicial Council Court Interpreters Program information packet, including answers to frequently asked questions about court interpreters;
- 🖨 Continuing education guidelines, compliance forms, and instructions;
- 🖨 Information update forms for certified court interpreters and registered interpreters; and
- 🖨 Judicial Council Master List of Certified Court Interpreters.



The Judicial Council has adopted new and amended California Rules of Court and Standards of Judicial Administration, effective January 1, 1998 (except as noted). The full text of these rules will be published in the December 11, 1997, pamphlet of the California Official Reports advance sheets (no. 33). The changes also are available on the Judicial Branch of California Web site at www.courtinfo.ca.gov/rules.

Summaries of the new and amended rules and standards appear below.

APPELLATE

- Rules 22 and 22.1. Oral argument in the Supreme Court and Court of Appeal—Former rule 22 was repealed and new rules 22 and 22.1 were adopted to establish the time limits, order, and number of counsel in oral argument in the Supreme Court and the Court of Appeal. Consistent with the Supreme Court's recently adopted policy, rule 22 provides that only one attorney per side may present oral argument in the Supreme Court, except in capital appeals or with the permission of the court.

- Rule 29.5. Questions of state law certified by federal appellate courts and other courts—This rule establishes a procedure by which the California Supreme Court may answer questions of state law certified to it by the U. S. Supreme Court, a U. S. Court of Appeals, or the court of last resort of any state, territory, or commonwealth. Federal courts may certify questions of state law to the highest court for a definitive answer in more than 40 states. With the adoption of this rule all states in the Ninth Circuit now have a procedure for answering questions of state law from federal courts or courts of other states.

- Rule 39.1A. Appeals from orders or judgments terminating parental rights—This rule was amended to remove the January 1, 1998, sunset clause. Originally enacted as an experimental statewide pilot project, it provides procedures for appeals in cases terminating parental rights. Four years of experience with the rule have proved it to be a useful step toward achieving timely permanency for children and families.

- Rule 39.1B. Special rule for orders setting a hearing under Welfare and Institutions Code section 366.26—This rule was amended to clarify procedures relating to appellate review of orders setting a hearing under Welfare and Institutions Code section 366.26. It specifies that writ petitions filed under rule

39.1B are to be handled in conformance with standard writ practice and procedure unless otherwise specified in the rule. It also specifies that absent exceptional circumstances, the appellate court will review the petition for extraordinary writ and decide it on the merits by written opinion.

- Rule 39.3. Appeal from juvenile court denial of authorization for abortion without parental consent—This rule was repealed to conform to the recent California Supreme Court decision overturning the parental consent to abortion statute (*American Academy of Pediatrics v. Lungren* (1997) 16 Cal.4th 307).

- Rule 40. Definitions—Subdivision (f) was amended to require that all documents and briefs filed in an appeal be served on all parties, and that proof of service include the name of each party represented by each attorney served.

- Rule 58. Review of Public Utilities Commission cases—Subdivision (a) was amended to recognize a statutory change that allows parties to petition for review of "adjudicatory" decisions of the Public Utilities Commission in the Court of Appeal (Stats. 1996, ch. 855, amending Pub. Util. Code, § 1759). "Nonadjudicatory" decisions will still be reviewed only by the Supreme Court.

TRIAL COURTS

- Rule 201. Forms and papers—This rule was amended to not apply to forms for juvenile dependency proceedings produced by the California State Department of Social Services Child Welfare Systems Case Management System.

- Rule 240 and Standard 23. Parental consent—This rule and standard were repealed to conform to the recent California Supreme Court decision overturning the parental consent to abortion statute.

- Rule 428. Criteria affecting imposition of enhancements—Subdivision (b) was amended to remove a phrase limiting the aggravating factors a court may consider in deciding what term to impose for an enhancement. The phrase limited the factors to those that relate directly to the fact giving rise to the enhancement. The California Supreme Court's decision in *People v. Hall* (1994) 8 Cal.4th 950 invalidated that limitation.

- Rule 851. Eligibility criteria for attending traffic violator school—This rule was amended to correct a previous oversight that excluded commercial drivers from attending traffic violator school for certain otherwise eligible violations.

- Rule 895. Records of criminal convictions (Gov. Code, §§ 69844.5 and 71280.5)—This rule was adopted to implement the Criminal Convictions Record Act (Assem. Bill 1387; Stats. 1996, ch. 642), requiring courts to report specified information to the Department of Justice on all criminal convictions. The information will be used to generate records of convictions that are admissible in court to prove prior convictions. (Note: This rule is effective July 1, 1998, to permit the courts to modify their reporting equipment and procedures.)

- Rule 982.7. Small claims forms—This rule was amended to add *Application and Order to Appear for Examination* (Form SC-134) to the list of mandatory small claims forms.

- Rule 996. Judicial Branch Statistical Information System (JBSIS)—This rule was adopted to establish the JBSIS and to require courts to collect and report to the Judicial Council the information as set forth in the *JBSIS Manual*, subject to the availability of adequate funding for case management systems, by January 1, 2000.

- Rules 2201–2210. Court employee labor relations—The Judicial Council adopted the rules in April 1997. Assembly Bill 1438 (Escutia) (Stats. 1997, ch. 857), passed by the Legislature and signed by the Governor, recognizes these rules of court, affirms that they have the full force and effect of law notwithstanding any other provision of law, and provides that the rules shall be maintained in their present form. The rules provide the right and obligation to meet and confer in good faith over matters relating to employment conditions and employer-employee relations that the court, as opposed to the county, has the authority to de-

termine; identify certain matters about which the court and court employees are not required to meet and confer; and address other issues relating to trial court employee labor relations.

- Standard 1. Court's duty to prohibit bias; Standard 1.4. Reasonable accommodation to court personnel—Standard 1 is amended and standard 1.4 is added. Standard 1 is amended to specify that the court's obligation to refrain from and prohibit biased conduct includes, but is not limited to, bias based on disability, gender, race, religion, ethnicity, and sexual orientation; to expand representation on local fairness committees to include representatives and individuals from minority, women's, gay, and lesbian organizations and organizations of persons with disabilities; and to broaden the ambit of fairness education programs and the development of informal complaint procedures in the local courts. Standard 1.4 is added to recommend that each court develop policies and procedures to eliminate barriers to job performance and full participation in court programs or activities by qualified employees with known disabilities.

- Standard 4.2. Guidelines for reimbursement of costs in change of venue cases—criminal—Technical and nonsubstantive changes were made to clarify this standard. Subdivision (e)(4), which provided for reimbursement of the costs of salaries and benefits for regular county or court employees in unusual situations, was repealed because it is inconsistent with Penal Code section 1037(c). Section 1037(c) prohibits reimbursing a county to which venue is changed for normal salaries, overhead, and other expenses that would have been incurred in the county in any event.

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Easy Access to E-Rules, E-Forms

In a hurry? Law library too far away? Court closed?

Then do what thousands of people who need to refer to the California Rules of Court and Judicial Council legal forms have discovered: get them off the Judicial Branch of California Web site (at www.courtinfo.ca.gov), where all the rules and forms have been available since October 10.

The rules (or e-rules, for "electronic rules") are at www.courtinfo.ca.gov/rules and the forms (e-forms) are at www.courtinfo.ca.gov/forms. Although the forms cannot be filled out online, they can be downloaded.

In the 30 days after the e-rules and e-forms became available, there were 2,017 hits on the first page of the rules and 6,470 hits on the first page of the forms.

The electronic version of the Judicial Council legal forms that appears on the Web site was provided by West Group, the official publisher of Judicial Council forms. The text of the rules that appears on the Web site was provided courtesy of *Deering's California Codes*, published by LEXIS Law Publishing, a division of Reed Elsevier Inc. Appendices to the rules (including the Standards of Judicial Administration, the Code of Judicial Ethics, and other appendices to the rules) will be available on the Internet site in January 1998.

Staff responsible for helping make possible the leap of the rules and forms from the printed page to cyberspace are the following Administrative Office of the Courts staff: Allan Benamer, Jim Brighton, Ben McClinton, and, in particular, Diane Gibbs and Kady Von Schoeler, who meticulously proofread the rules against other versions and made numerous corrections to achieve the final version.

• Comments about or corrections to the text of the rules may be sent to rules@courtinfo.ca.gov. Comments about the forms should be sent to forms@courtinfo.ca.gov. Technical questions about the forms (e.g., downloading, printing, and the Acrobat viewer) should be sent to feedback@courtinfo.ca.gov.

New Rules

Continued from page 13

- Standard 8.8. Education on jury selection and treatment of jurors—This standard was amended to encourage the Center for Judicial Education and Research to provide educational materials to judicial officers, court administrators, and jury staff on the treatment of jurors; to recommend that presiding judges ensure that all court employees who interact with jurors are properly trained; and to recommend that judges who conduct jury trials be trained on the conduct of voir dire and the treatment of jurors.

- Standard 36. Guidelines for diversion drug court programs—This standard was adopted to provide the basis for criteria that will allow the Administrative Office of the Courts to evaluate the impact of the drug court grant program (expansion, effectiveness, variations) and assist courts in developing and administering pre-plea drug courts in compliance with Penal Code section 1000.5.

- Uniform Bail and Penalty Schedules—The schedules, authorized under rule 850, were amended to bring them into conformance with new legislation. In addition, language was added to the schedule's preface indicating that except as otherwise required by statute, courts have discretion to suspend the minimum fine under Penal Code section 1203b. The mandatory appearance for

speeding infractions of 26 miles per hour or more above the speed limit was deleted.

- Court Records Management Standards—The standards, authorized under section 34 of the Standards of Judicial Administration, were amended to make technical corrections.

JUVENILE

- Rule 1401. Definitions; construction of terms—This rule was amended to add the definitions of the phrases "court-ordered services," "court-ordered treatment program," and "initial removal" to the juvenile court rules.

- Rule 1402. Juvenile court proceedings—This rule was amended to permit nonsubstantive variances in forms generated by the California State Department of Social Services' new statewide computerized case management system.

- Rule 1421. Granting immunity to witnesses—Amendments to this rule conform to recent statutory changes regarding court processes related to witness immunity. Changes include clarification that testimony or other information compelled under a court order, or information directly or indirectly derived from such testimony or information, may not be used against a witness in any criminal case, including any juvenile court proceeding under Welfare and Institutions Code section 602.

- Rule 1466. Grounds for detention; factors to consider and findings—This rule is amended to conform to recent statutory changes re-

garding court processes related to foster-care review hearings and guardianship hearings. The change provides for court review of a previously ordered permanent plan every 12, rather than 18, months and allows this review to be combined with a six-month review.

- Rules 1487, 1488, and 1493. Delinquency procedures—Changes to these rules conform delinquency proceedings to recent statutory changes pertaining to procedures to be followed when an offense may be found to be either a felony or a misdemeanor. Changes include the addition that a court shall consider, when an offense may be found to be either a felony or a misdemeanor, which description shall apply, and that the court shall expressly declare on the record that it has made such a consideration and shall state its determination as to whether the offense is a misdemeanor or a felony.

- Rule 1496. Six-month review hearing—This rule is amended to conform to recent legislative changes to the related statute, Welfare and Institutions Code section 11404.1; changes include reducing, from 18 to 12 months, the time between periodic review hearings subsequent to a permanency planning hearing.

- Rules 1422, 1440–1447, and 1470–1478. Juvenile court proceedings—Rule 1422 was amended, former rules 1440–1447 and 1470–1478 were repealed, and new rules 1440–1447 and 1470–1478 were adopted to clarify and simplify procedures

applicable to initial hearings in dependency and delinquency cases.

FAMILY LAW

- Rule 1276. Use of interstate forms—This rule was amended to allow the use of federally mandated interstate forms in California courts.

- Standard 26.2. Uniform standards of practice for providers of supervised visitation—This standard was adopted to comply with Family Code section 3200. It provides the first statewide framework for providers of supervised visitation, encompassing the areas mandated in the statute: qualifications, experience, and education; safety and security procedures; conflicts of interest; maintenance and disclosure of records; confidentiality; delineation of terms and conditions; procedures for termination; and legal responsibilities and obligations of providers of supervised visitation.

JUDICIAL COUNCIL ADVISORY COMMITTEES

- Rule 1034. Traffic Advisory Committee—This rule was amended to accurately reflect the committee's function, duties, and membership. The committee's responsibility relating to non-traffic violations as set forth in the fish and game, boating, forestry, public utilities, parks and recreation, and business licensing bail schedules was added. The rule was updated to reflect that the committee's membership includes representatives of the California Highway Patrol, Department of Motor Vehicles, and Office of Traffic Safety. ■



The Judicial Council has approved certain new and revised legal forms effective January 1, 1998. The new and revised forms are also available on the Judicial Branch of California Web site at www.court-info.ca.gov/forms.

FAMILY LAW (RULES 1281–1298.12)

- ☐ 1285.32 [Rev.], Responsive Declaration to Motion for Simplified Modification of Order for Child, Spousal, or Family Support
- ☐ 1285.65 [Rev.], Ex Parte Application for Wage and Earnings Assignment Order

Domestic Violence and Child Abuse Prevention

- ☐ 1295.90 [Rev.], Emergency Protective Order (CLETS)

Governmental

- ☐ 1299.01 [Rev.], Summons and Complaint or Supplemental Complaint Regarding Parental Obligations
- ☐ 1299.07 [Rev.], Stipulation for Judgment or Supplemental Judgment Regarding Parental Obligations and Judgment
- ☐ 1299.13 [Rev.], Judgment Regarding Parental Obligations
- ☐ 1299.17 [Rev.], Declaration for Amended Proposed Judgment
- ☐ 1299.22 [Rev.], Stipulation and Order
- ☐ 1299.25 [Rev.], Notice of Wage and Earnings Assignment
- ☐ 1299.43 [Rev.], Notice of Opposition and Notice of Motion on Claim of Exemption

[ABORTION (RULE 240)]

- ☐ AB-100 [Revoked], Petition for Waiver of Parental Consent re Abortion
- ☐ AB-105 [Revoked], Questionnaire and Declaration of Petitioner
- ☐ AB-110 [Revoked], Confidential Affidavit of Minor
- ☐ AB-115 [Revoked], Declaration Regarding Maturity and Best Interest
- ☐ AB-120 [Revoked], Findings and Order re Abortion Without Parental Consent
- ☐ AB-125 [Revoked], Order Authorizing Abortion Without Parental Consent
- ☐ AB-130 [Revoked], Notice of Appeal

CIVIL HARASSMENT

- ☐ CH-100 [Rev.], Petition for Injunction Prohibiting Harassment
- ☐ CH-110 [Rev.], Response to Petition for Injunction Prohibiting Harassment
- ☐ CH-120 [Rev.], Order to Show Cause and Temporary Restraining Order (CLETS)
- ☐ CH-125 [New], Application and Order for Reissuance of Order to Show Cause
- ☐ CH-130 [Rev.], Proof of Personal Service (Harassment) [reverse of Form CH-131]
- ☐ CH-131 [Rev.], Proof of Service by Mail (Harassment) [reverse of Form CH-130]
- ☐ CH-140 [Rev.], Order After Hearing on Petition for Injunction Prohibiting Harassment (CLETS)

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New Forms

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CRIMINAL

- ❑ CR-110 [New], Order for Restitution to Crime Victim

FORM INTERROGATORIES AND REQUEST FOR ADMISSIONS

- ❑ FI-120 [Rev.], Form Interrogatories
- ❑ FI-129 [Rev.], Form Interrogatories—Economic Litigation

JUVENILE

- ❑ JV-190 [Rev.], Waiver of Rights
- ❑ JV-450 [Rev.], Order for Prisoner’s Appearance at Hearing Affecting Prisoner’s Parental Rights
- ❑ JV-820 [Rev.], Notice of Intent to File Writ Petition and Request for Record (Rule 39.1B)
- ❑ JV-826 [New], Denial of Petition (Rule 39.1B)
- ❑ JV-828 [New], Notice of Action

PROBATE*

Decedent’s Estate

- ❑ DE-110 [Revoked], *Petition for Probate*
- ❑ DE-111 [Rev.], Petition for Probate
- ❑ DE-120 [Rev.], Notice of Hearing
- ❑ DE-121 [Rev.], Notice of Petition to Administer Estate
- ❑ DE-122 [Rev.], Citation (Probate) and Proof of Service
- ❑ DE-125 [Rev.], Summons (Probate)
- ❑ DE-130 [Revoked], *Proof of Subscribing Witness*
- ❑ DE-131 [Rev.], Proof of Subscribing Witness
- ❑ DE-135 [Rev.], Proof of Holographic Instrument
- ❑ DE-140 [Rev.], Order for Probate
- ❑ DE-147 [Rev.], Duties and Liabilities of Personal Representative
- ❑ DE-150 [Rev.], Letters
- ❑ DE-154 [Rev.], Request for Special Notice [same as GC-035**]
- ❑ DE-157 [Rev.], Notice of Administration to Creditors
- ❑ DE-160 [Rev.], Inventory and Appraisal [same as GC-040**]
- ❑ DE-161 [Rev.], Inventory and Appraisal Attachment [same as GC-041**]
- ❑ DE-165 [Rev.], Notice of Proposed Action (Objection—Consent)
- ❑ DE-166 [Rev.], Waiver of Notice of Proposed Action
- ❑ DE-170 [Revoked], *Creditor’s Claim*
- ❑ DE-172 [Rev.], Creditor’s Claim
- ❑ DE-174 [Rev.], Allowance or Rejection of Creditor’s Claim
- ❑ DE-200 [Rev.], Order Prescribing Notice [same as GC-022**]
- ❑ DE-221 [Rev.], Spousal Property Petition
- ❑ DE-226 [Rev.], Spousal Property Order
- ❑ DE-260 [Rev.], Report of Sale and Petition for Order Confirming Sale of Real Property [same as GC-060**]
- ❑ DE-265 [Rev.], Order Confirming Sale of Real Property [same as GC-065**]
- ❑ DE-270 [Rev.], Ex Parte Petition for Authority to Sell Securities and Order [same as GC-070**]
- ❑ DE-275 [Rev.], Ex Parte Petition for Approval of Sale of Personal Property and Order [same as GC-075**]
- ❑ DE-305 [Rev.], Affidavit re Real Property of Small Value
- ❑ DE-310 [Rev.], Petition to Determine Succession to Real Property
- ❑ DE-315 [Rev.], Order Determining Succession to Real Property

Guardianship and Conservatorship Forms Common to Both Guardianships and Conservatorships

- ❑ GC-020 [Rev.], Notice of Hearing—Guardianship or Conservatorship
- ❑ GC-021 [Rev.], Order Dispensing With Notice
- ❑ GC-022 [Rev.], Order Prescribing Notice [same as DE-200**]
- ❑ GC-030 [Revoked], *Proof of Service by Mail of Order Appointing Guardian or Conservator*
- ❑ GC-035 [Rev.], Request for Special Notice [same as DE-154**]
- ❑ GC-040 [Rev.], Inventory and Appraisal [same as DE-160**]

- ❑ GC-041 [Rev.], Inventory and Appraisal Attachment [same as DE-161**]
- ❑ GC-060 [Rev.], Report of Sale and Petition for Order Confirming Sale of Real Property [same as DE-260**]
- ❑ GC-065 [Rev.], Order Confirming Sale of Real Property [same as DE-265**]
- ❑ GC-070 [Rev.], Ex Parte Petition for Authority to Sell Securities and Order [same as DE-270**]
- ❑ GC-075 [Rev.], Ex Parte Petition for Approval of Sale of Personal Property and Order [same as DE-275**]

Forms for Temporary Guardianships or Conservatorships

- ❑ GC-110 [Rev.], Petition for Appointment of Temporary Guardian or Conservator
- ❑ GC-140 [Rev.], Order Appointing Temporary Guardian or Conservator
- ❑ GC-150 [Rev.], Letters of Temporary Guardianship or Conservatorship

Forms for Guardianships

- ❑ GC-210 [Rev.], Petition for Appointment of Guardian of Minor
- ❑ GC-211 [Rev.], Consent of Guardian, Nomination, and Waiver of Notice
- ❑ GC-240 [Rev.], Order Appointing Guardian of Minor
- ❑ GC-250 [Rev.], Letters of Guardianship

Forms for Conservatorships

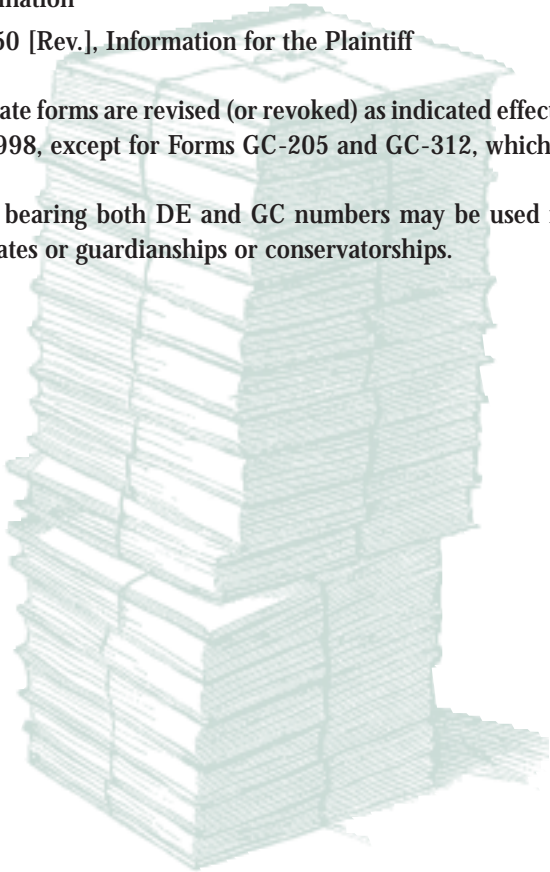
- ❑ GC-310 [Rev.], Petition for Appointment of Probate Conservator
- ❑ GC-313 [New], Attachment Requesting Special Orders Regarding Dementia
- ❑ GC-320 [Rev.], Citation for Conservatorship and Proof of Service
- ❑ GC-330 [Rev.], Order Appointing Court Investigator
- ❑ GC-335 [Rev.], Declaration on Medical Inability to Attend Court Hearing
- ❑ GC-340 [Rev.], Order Appointing Probate Conservator
- ❑ GC-348 [Rev.], Duties of Conservator
- ❑ GC-350 [Rev.], Letters of Conservatorship
- ❑ GC-380 [Rev.], Petition for Exclusive Authority to Give Consent for Medical Treatment
- ❑ GC-385 [Rev.], Order Authorizing Conservator to Give Consent for Medical Treatment

SMALL CLAIMS

- ❑ SC-100 [Rev.], Plaintiff’s Claim and Order to Defendant
- ❑ SC-120 [Rev.], Defendant’s Claim and Order to Plaintiff
- ❑ SC-130 [Rev.], Notice of Entry of Judgment
- ❑ SC-133 [Rev.], Judgment Debtor’s Statement of Assets
- ❑ SC-134 [New], Application and Order to Appear for Examination
- ❑ SC-150 [Rev.], Information for the Plaintiff

* All probate forms are revised (or revoked) as indicated effective January 1, 1998, except for Forms GC-205 and GC-312, which are unchanged.

** Forms bearing both DE and GC numbers may be used in decedent’s estates or guardianships or conservatorships.





Education & Development

WORKSHOPS

More training for appellate court staff

Training and educational opportunities for appellate court staff have expanded in recent years.

Appellate Court Training Liaisons

First Appellate District:	Ron Barrow
Second Appellate District	
Los Angeles:	Joseph Lane
Ventura:	Paul McGill
Third Appellate District:	David Hall/Bob Liston
Fourth Appellate District	
San Diego:	Kathy Muraoka
San Bernardino:	Henry Espinoza
Santa Ana:	Joyce Nohavec
Fifth Appellate District:	Eve Sproule
Sixth Appellate District:	Michael Yerly

In 1995-96 the Legislature approved baseline funding for appellate education, earmarking the funds to support program costs and travel to trainings sponsored by the Administrative Office of the Courts (AOC) as well as those offered by providers other than the AOC.

The appellate court training appropriation advances Goal V (Education) of the Judicial Council's Long-Range Strategic Plan—to provide judicial branch education and professional development. It also marks a first-time expansion of training and educational opportunities for all nonjudicial staff in the California appellate courts.

Among the AOC programs supported by the training funds are the Appellate Staff Continuing Studies Program, the California Appellate Management Institute, and the Appellate Employment Symposium. The third annual Continuing Studies Program, hosted by the Sixth District Court of Appeal in San Jose, was held November 13 and 14.

This year's Appellate Employment Symposium, held on December 11 and 12 in San Diego, focused on personnel

management and human resources issues in the public sector and courts. The program was geared to clerks of the court, chief deputy clerks, and others with personnel management responsibilities, including justices and principal attorneys.

Funds also will support appellate court staff attendance at the California Judicial Administration Conference, Judicial Administration Institute of California courses, mid-level management training, and other statewide programs offered by the AOC's Education Division, home of the Center for Judicial Education and Research.

● Contact: For information about appellate staff education programs sponsored by the AOC, Administrative Education at 415-356-6427 (CALNET 8-531-6427).

The second portion of the training funds, designated for training and educational activities conducted by providers other than the AOC, has been allocated on a per-employee basis, yielding about \$85 per nonjudicial staff member for 1997-98. Use of the funds has increased in the last two years as

staff have become aware of expanded training opportunities. Generally, training topics have centered on a wide array of professional development areas including, but not limited to, the following:

- ✓ Managing Court Libraries in the 21st Century
- ✓ How to Be a Better Receptionist
- ✓ The Basics of Web Site Design
- ✓ Business Writing for Professionals
- ✓ How to Conduct Effective OSHA Training
- ✓ How to Manage Multiple Projects and Meet Deadlines
- ✓ Substantive Law Updates
- ✓ Grammar Skills and Usage
- ✓ Stress Management
- ✓ How to Be an Indispensable Assistant

Some courts have used their funds to bring trainers on-site to teach such topics as computer skills, ergonomics and injury prevention, and conflict resolution. Others courts have purchased

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Judicial Appointments

Governor Wilson made the following judicial appointments in October, November, and the beginning of December.

COURTS OF APPEAL

Daniel M. Hanlon, Associate Justice of the Court of Appeal, First Appellate District, Division Four (San Francisco), to Presiding Justice of the same court and division.

William R. McGuinness, of the Superior Court, Administratively Consolidated Trial Courts of Alameda County, to Associate Justice of the Court of Appeal, First Appellate District, Division Four (San Francisco).

SUPERIOR COURTS

Robert F. Moody, of the Monterey County Municipal Court, to the Monterey County Superior Court, succeeding Harkjoon Paik, retired.

William Pangman to the Sierra County Superior Court, succeeding Reginald Littrell, deceased.

Frank Dougherty, of the Merced County Municipal Court, to the Merced County Superior Court, succeeding William T. Ivey, retired.

Coleen Ryan, of the Bakersfield Municipal Court (Kern), to the Kern County Superior Court, succeeding Lenard McGillivray, retired.

William McLafferty to the Santa Barbara County Superior

Court, succeeding Patrick L. McMahon, retired.

Gerald Hermansen, of the South Butte Municipal Court, Butte County Consolidated Courts, to the Superior Court, Butte County Consolidated Courts, filling a new position created by 1996 legislation.

Robert S. Boyd to the Superior Court, Sonoma County Courts, succeeding John Gallagher, retired.

William J. Elfzing to the Santa Clara County Superior Court, succeeding Peter Stone, retired.

Kenneth Mark Burr to the Superior Court, Administratively Consolidated Trial Courts of Alameda County, succeeding Dawn Girard, retired.

Michael M. Johnson to the Los Angeles County Superior Court, succeeding Gabriel Gutierrez, retired.

David W. Long, of the Municipal Court, to the Superior Court, Ventura County Superior and Municipal Coordinated Courts, succeeding Charles McGrath, retired.

Peter B. Foor to the Superior Court, Solano County Consolidated Courts, filling a new position created by 1996 legislation.

Robert B. Attack, of the Municipal Court, to the Superior Court, Santa Cruz County Consolidated Courts, succeeding Thomas Black, retired.

Ronald M. Christianson, of the Municipal Court, to the Superior Court, San Bernardino Superior and Municipal Courts, filling a new position created by 1996 legislation.

Gloria Trask, commissioner, to the Superior Court, Consolidated/Coordinated Superior and Municipal Courts of Riverside County, succeeding Barton Gaut, elevated.

Jacob Blea to the Superior Court, Administratively Consolidated Trial Courts of Alameda County, succeeding William R. McGuinness, elevated.

Craig Elliot Veals, of the Los Angeles Municipal Court, to the Los Angeles County Superior Court, succeeding Robert Thomas, retired.

Judy S. Craddick, to the Superior Court, Coordinated Trial Courts of Contra Costa County, succeeding Ellen S. James, retired.

David S. Whesley, commissioner, to the Los Angeles County Superior Court, succeeding Diane Wayne, retired.

MUNICIPAL COURTS

William McGivern to the Municipal Court, Marin County Courts, succeeding Vernon F. Smith, elected to the Superior Court, Marin County Courts.

Agil Morris-Jones to the Merced County Municipal Court, succeeding Frank Dougherty, elevated.

Jesus I. Rodriguez, commissioner, to the Downey Municipal Court (Los Angeles), succeeding Donald Wilson, retired.

Raul A. Sahagun, commissioner, to the Southeast Municipal Court (Los Angeles), succeeding Frank Gafkowski, retired.

Cindee S. Mayfield to the Municipal Court, Coordinated Mendocino County Courts, succeeding Henry K. Nelson, elected to the Superior Court, Coordinated Mendocino County Courts.

Ridgely L. Lazard to the Lassen County Municipal Court, succeeding Steven Douglas Bradbury, elected to the Lassen County Superior Court.

Lawrence E. Mason to the Inglewood Municipal Court (Los Angeles), succeeding William Ormsby, retired.

Marie S. Silveira to the Stanislaus County Municipal Court, succeeding Hurl William Johnson III, elevated.

Robert J. Schuit to the Los Angeles Municipal Court, succeeding Craig Elliot Veals, elevated.

Barbara L. Roberts to the South Butte Municipal Court, Butte County Consolidated Courts, succeeding Gerald Hermansen, elevated.

Keith H. Fudenna, commissioner, to Fremont-Newark Union City Municipal Court, succeeding Marvin Haun, retired. ■

Education & Development

Continued from page 16

audio or video training programs and general reference materials.

Appellate Court Services staff coordinate training services through a designated training liaison at each court site.

● **Contact:** Appellate court staff should direct questions about training opportunities by providers other than the AOC to their court liaison (*see box, page 16*) or Elizabeth Howard, Appellate Court Services, 415-396-9386 (CALNET 8-531-9386).

Training for enforcement of AB 1058

The first Judicial Council-sponsored training workshop for child support commissioners and family law facilitators attracted 200 attendees from around the state. They included 35 new facilitators, 39 commissioners, 6 judges, and numerous court administrators.

The three-day workshop, held in September in Sacramento, focused on recent changes in the law regarding child support establishment and enforcement resulting from the passage of Assembly Bill 1058 (*see Court News, April-May 1997, "Program Will Expedite Child Support Collection"*). Other topics included domestic violence, ethics, accessibility to the courts, and presentation of model programs.

The workshop was extremely well received, according to workshop staff, with attendees

expressing an interest in future training opportunities.

Future training is being developed cooperatively with the Center for Judicial Education and Research. In addition, the Administrative Office of the Courts is regularly sending training materials to counties, and regional groups are being established to deal with issues of concern.

● **Contact:** For more information about AB 1058 training opportunities, Supervising Attorney George Nielsen, Legal Services, Administrative Office of the Courts, 303 Second Street, South Tower, San Francisco, CA 94107, 415-356-6614 (CALNET 8-531-6614).

CJAC 1998: Promoting public trust, confidence in judicial branch

The theme of the 1998 California Judicial Administration Conference (CJAC)—the Judicial Council's annual meeting for court leaders—is "Promoting Public Trust and Confidence in the Judicial Branch."

The conference will be held February 5 to 7 at the Hyatt Regency Monterey. Sponsored by the council and the Administrative Office of the Courts, CJAC will offer judges and court administrators educational opportunities through workshops and panel discussions on timely issues affecting the courts, as well as numerous avenues for networking.

New at the 1998 conference will be workshops presented by various Judicial Council advisory committees on current is-

suces affecting the courts. In addition, workshops will be offered in budgeting, caseload management, employment issues, facilities, fairness, community and public relationships, legislative issues, appellate issues, technology, and trial court performance standards.

Also during the conference, recipients of the Ralph N. Kleps Improvement in the Administration of the Courts Award and the Chief Justice's Special Recognition Award will be honored, along with recipients of the Judicial Council Distinguished Service Awards: Jurist of the Year, Judicial Administration, and Bernard E. Witkin Amicus Curiae Awards (*see stories, pages 1, 5, and 6*).

● **Contact:** Claudia Fernandes, Administrative Education, 415-356-6433 (CALNET 8-531-6433).

Court employees offered customer service advice

Practical information about how court employees can achieve and maintain excellence in customer service is available in *Serving the Public: A Curriculum for Court Employees*, a training manual from the American Judicature Society (AJS).

AJS is a national organization of judges, lawyers, and members of the public that works to improve the courts through research, educational programs, and publications.

The manual helps court employees identify who their internal and external customers are, analyze customers' needs and expectations, and respond to challenging service situations. It

provides clear instructions for court managers and presiding judges as well as professional educators, who may use the training manual to teach potential employees.

Serving the Public: A Curriculum for Court Employees costs \$25, including postage and handling.

● **Contact:** To order a copy, send a check, payable to the American Judicature Society, to Publication Orders, 180 North Michigan Ave., Suite 600, Chicago, IL 60601. VISA and MasterCard orders can be placed by calling 312-558-6900, ext. 147.

First meeting of Congress of State Drug Court Associations

The newly formed Congress of State Drug Court Associations of the National Association of Drug Court Professionals (NADCP) is envisioned to be a repository of information on state drug courts and a resource for developing statewide drug court organizations.

NADCP's president, retired Oakland-Piedmont-Emergency Municipal Court (Alameda)



Judge Jeffrey S. Tauber, and Staff Counsel Susan P. Weinstein convened the first congress in May during the NADCP's national conference. Two representatives from each of 29 states—one from the criminal justice field and one from the treatment or rehabilitation field—were in attendance.

Representing California were Judge Tomar Mason of the San Francisco Municipal Court and William Edelman, Orange County Director of Alcohol and Drug Programs.

In addition to its role as a repository of information on state drug court organizations and activities, Weinstein said she hopes the congress will assist state organizations in drafting legislation and model state drug laws, identify resources and funding opportunities, and draft bylaws and articles of incorporation for formal, statewide organizations. The congress will also make policy recommendations to the NADCP board of directors.

● **Contact:** For more information about the congress, contact California's representatives or Susan P. Weinstein, 888-316-2327 or 703-706-0576, or e-mail: nadcp1@aol.com.

For information about the NADCP, visit its Web site at www.drugcourt.org. ■

Judicial Branch Education Long-Range Plan Adopted

The Judicial Council adopted the Long-Range Plan for Judicial Branch Education as recommended by the CJER (Center for Judicial Education and Research) Governing Committee. The plan, which integrates judicial and court staff educational activities, follows the Judicial Council's decision to approve joint governance for judicial branch education effective January 1, 1997.

Integrating the 1996 CJER and Judicial Administration Institute of California Long-Range Plans, the governing committee and other participants at a June 9, 1997, strategic planning meeting reached consensus on the goals and educational plan for California's judicial branch, as follows:

- 1 Comprehensive Education Plan; Standards: Develop education plan for judicial branch; determine comprehensive education standards based on the education plan.
- 2 Curriculum-Based Planning: Develop curricula for all judicial and administrative education courses.
- 3 Skills-Based Programs: Expand skills-based programs with initial emphasis on management skills training.
- 4 Alternative Delivery: Enhance alternative delivery of judicial branch educational services (publications, videos, programs) by providing support for and technical assistance to local education programs and through the use of technology.
- 5 Fairness/Diversity Training: Establish training in fairness and diversity and assist local courts in providing and arranging for such training.
- 6 Management Training: Expand management training for judges and court staff. Develop a curriculum and keep it current. Broaden participation.



Court Briefs



Judge Barbara A. Zúñiga

Judge Zúñiga president of women judges association

The new president of the National Association of Women Judges (NAWJ) is Superior Court Judge Barbara A. Zúñiga of the Coordinated Trial Courts of Contra Costa County. Judge Zúñiga was selected during the organization's annual conference in September in Utah. She has also served as president-elect, vice president, and treasurer.

Judge Zúñiga was appointed to the Walnut Creek-Danville Municipal Court in 1985 and served as presiding judge in 1987-88, 1990-91, and 1993-94. She was elected to the Contra Costa County Superior Court in June 1994. She has been active in the California Judges Association, serving on its executive board from 1988 to 1991, as secretary-treasurer in 1990-91, and on its Ethics, Elections, and Discipline and Disability Committees. She was president of the California/Nevada Women Judges Association from 1991 to 1993.

In 1995, Judge Zúñiga was appointed to the Judicial Council's Access and Fairness Advisory Committee, on which she continues to serve. She chairs the committee's Gender Fairness Subcommittee and is a member of the Racial and Ethnic Bias Subcommittee and Sexual Harassment Education Planning Committee.

NAWJ is a nonprofit organization dedicated to ensuring diversity on the bench and in the profession. It was founded in 1979 by Presiding Justice Joan Dempsey Klein of the Court of Appeal, Second Appellate District, Division Three (Los Angeles), who was its first president,

and Presiding Justice Vaino H. Spencer of the Second Appellate District, Division One (Los Angeles).

The association is committed to securing gender parity in the courts and conducting administrative tribunals for women, children, and the family. Headquartered in Washington, D.C., NAWJ maintains 14 districts throughout the United States and actively participates in the International Association of Women Judges.

Sacramento County Bar honors Justice Morrison

Third District Court of Appeal Associate Justice Fred K. Morrison has been honored as "Judge of the Year" by the Sacramento County Bar Association.

The annual bench-bar reception honors all new judges and the "Judge of the Year," selected by the bar "for service and valuable contributions which have improved our court system."

Justice Morrison was appointed to the Court of Appeal in August 1994. Previously, he was a judge for approximately nine years in the Sacramento superior and municipal courts, where he presided over a wide variety of civil and criminal cases.

Prior to joining the bench, Justice Morrison was an assistant U.S. attorney in Sacramento specializing in the prosecution of white-collar crime. Before that, he was a professor at the McGeorge School of Law, where he taught criminal law, criminal procedure, and evidence.

Receiving honorable mentions at the Sacramento County Bar Association bench-bar reception were Third District

Court of Appeal Associate Justice Consuelo Maria Callahan; Judges Greta Curtis Crossland and Morrison C. England, Jr.; and Commissioner Raoul Thorbourne and Referee Peter Helfer, Sacramento Superior and Municipal Courts.

Orange County's Judge Jameson 'Judge of Year'

The Consumer Attorneys of California has selected Orange County Superior Court Judge C. Robert Jameson as its "Judge of the Year." Judge Jameson received the award during the association's annual convention in San Francisco in November.

"This award is given to someone who has contributed to the advancement of justice," said Wylie Atkin, a past-president of the Consumer Attorneys of California. "[Judge Jameson] is willing to make courageous decisions, like the Farmers [Insurance Co.] bad-faith case, followed this year by his willingness to stand up to what he perceived as serious discovery abuses by UCI [University of California, Irvine Medical Center]."

Judge Jameson was appointed to the superior court bench in 1987 and served as presiding judge of the juvenile court from 1988 to 1990. He currently serves on the Civil Litigation Panel. Previously he was on the Central Orange County Municipal Court bench, to which he was appointed in 1984.

Judge Jameson has received "Judge of the Year" honors on a number of occasions, including from the Chief Probation Officers of California in 1990 and the Constitutional Rights Foundation in 1987. In 1991, he was the recipient of a resolution from the Orange County Board

of Supervisors commending him for his "dedication to the bench, children, and citizens of Orange County."

Second District's Lane is national appellate court clerks' group president-elect

Joseph A. Lane, Clerk of the Court for the Second Appellate District (Los Angeles), is president-elect of the National Conference of Appellate Court Clerks.

A Judicial Council advisory member, Lane has been the court's clerk since 1992. He has been with the district since 1979 and was chief deputy clerk from 1988 until his elevation.

The National Conference of Appellate Court Clerks was established in 1973 with the objectives of improving the skills and knowledge of its members, promoting effective court administration, and providing a forum for the exchange of ideas on appellate court operations.

The conference held its 24th annual meeting and educational program in Alabama in August. The program included sessions on technology, television in appellate courts, professional development, ethics, effective public writing, personnel administration, security, court statistics, and attorney discipline.

L.A. juvenile court tracking system a winner

A Los Angeles County Superior Court program designed to keep minors out of trouble has been awarded the 1997 National Association of Counties Achievement Award.

The Dependency/Delinquency Early Alert Report (DEAR) is a two-pronged approach to the early identification of dependent children who are at risk for delinquency. Through the use of an automated report, the Dependency Court receives early notification of any policy agency referrals of dependent minors to the Probation Department. The report alerts judges, attorneys, and court staff that a minor has a case pending in the Delinquency Court. It also identifies the minor's Dependency Court case, so the court can take steps to intervene before the minor's behavior becomes a serious delinquency problem.

National Association of Counties Executive Director Larry E. Naake, making the presentation at the group's annual conference in Maryland in July, said the awards program

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Court/Community Outreach Task Force Welcomes Public



Task force members participating in the July meeting in San Francisco are, left to right, Judge Gail Andrea Andler of the Orange County Superior Court, Judge Darrell W. Stevens of the Butte County Consolidated Courts, Assistant Executive Officer Michael Bayne of the Consolidated/Coordinated Superior and Municipal Courts of Riverside County, Court Administrator Jessica Lee of the Rio Hondo Municipal Court (Los Angeles), and Executive Officer Jose O. Guillen of the Napa County Consolidated Courts.

The public is encouraged to attend and participate in the meetings of the Judicial Council's Special Task Force on Court/Community Outreach, which are held from 10:00 a.m. to 3:00 p.m. A public comment period is provided at each meeting, from 1:00 to 1:30 p.m., during which time each speaker is limited to three minutes. Meeting dates and locations for 1998 are as follows:

- | | |
|----------------|---|
| JAN 14: | Santa Ana, John Wayne Airport, Conference Room |
| FEB 11: | San Francisco, AOC, 303 Second Street, South Tower, 4th Floor |
| MAR 16: | Redding, Best Western Hilltop, 2300 Hilltop Drive |
| APR 13: | Los Angeles, Hyatt Regency, 711 South Hope Street |

● Contact: Persons interested in attending a meeting of the Special Task Force on Court/Community Outreach and those seeking special accommodations should call Shelley M. Stump, Planning Coordinator, 415-396-9310 (CALNET 8-531-9310).

Court Briefs

Continued from page 18

allows the organization to "share valuable information with other counties throughout the nation."

Bay Area court offers jury verdicts in cyberspace

The Oakland-Piedmont-Emeryville Municipal Court (Alameda) is offering a database of 1997 civil jury verdicts on the Internet in an innovative program to educate lawyers and the public about the verdicts reached in that court.

The court has placed its "1997 Summary of Civil Jury Verdicts" on its World Wide Web site in the hope that greater access to information about how juries have decided similar cases will assist attorneys and their clients in placing a realistic value on their civil disputes.

Court Administrator Theresa Beltran says gathering the information presented the real challenge and credits Judge Brenda Harbin-Forte with accomplishing that task.

Judge Harbin-Forte began compiling summaries of civil jury verdicts and distributing them to her colleagues shortly after she was appointed to the bench in January 1992. "My first assignment in 1992 was to preside over a civil trial department," says the judge. "The void left by legal publications which report jury verdicts in select superior court trials frustrated efforts to settle cases because neither the attorneys nor I had a reliable basis for placing a 'local' value on cases. I felt it would be educational for both the bench and the bar to examine the verdicts reached by Oakland ju-

ries." Upon returning to a civil jury trial assignment this past January, Judge Harbin-Forte re-instituted the data collection system, with the goal of widely disseminating the information to the bar.

"Judge Harbin-Forte's summaries help us to settle cases," observes Presiding Judge Stephen Dombrink. "When lawyers see how jury trials turn out, they are more realistic in their expectations. And the more cases we can settle, the more courtrooms we can make available for cases that don't settle. That's why we are making these summaries available to the public."

For courts interested in developing their own summaries, Beltran suggests that "the information can be pulled from other case management systems and be placed on the Web site or in another form for disseminating information to the public."

The court continues to expand its Web site and plans to soon include calendar information and forms that can be downloaded.

Visit the Oakland-Piedmont-Emeryville Municipal Court Web site at co.alameda.ca.us/cop/cop10a.htm.

● Contact: For more information, Theresa Beltran, Court Administrator, Oakland-Piedmont-Emeryville Municipal Court, 510-268-7606.

Motorists find online help in handling traffic tickets in L.A.

Traffic offenders can check information about their citations online if they received them in the area served by the Los Angeles and Long Beach Municipal Courts. It includes Catalina, San Pedro, West Los Angeles, Van Nuys, San Fernando, and Los Angeles, the cities of Long Beach

1997 Landmark Event



Governor Pete Wilson signed the Lockyer-Isenberg Trial Court Funding Act of 1997 on October 10. At the signing ceremony were, left to right, Steve Szalay, Executive Director, California State Association of Counties (CSAC); Assembly Member Martha Escutia; Jerry Eaves, San Bernardino County Board of Supervisors; Senator Bill Lockyer; Dwight Stenbakken, League of California Cities; Ray LeBov, Director, Office of Governmental Affairs, Administrative Office of the Courts; and Rubin Lopez, Legislative Representative, CSAC.

and Signal Hill, and surrounding unincorporated areas.

To get details about their tickets, motorists log on to the Los Angeles Municipal Court Web site at www.lamuni.org and then go to the Traffic Ticket Information site. They enter their names and citation numbers and then find out the total amount due, if they are eligible for traffic school, and when they are scheduled to appear. The page displays no personal data such as driver's address or license number.

The site explains options available for handling tickets and lists court locations motorists can go to if they want to pay their fines in person.

After the law enforcement agency files the ticket with the court, about two weeks after it is issued, court staff enter it into the court's database, and the traffic citation information goes online. Once the information is in the court's database, the court

updates the system weekly; information on tickets issued within the previous 90 days is available online.

● Contact: Marcia Skolnik, Public Affairs Director, Los Angeles Municipal Court, 213-974-6358.

Sixth District oral arguments temporarily in Palo Alto

The Court of Appeal, Sixth Appellate District (San Jose), is hearing oral argument in the council chambers of Palo Alto City Hall while the courtroom and facilities in San Jose are being renovated. The renovation is expected to take at least eight months.

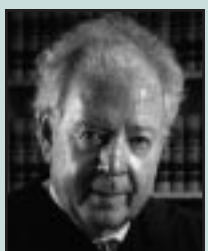
November 13 was the first day the court convened in Palo Alto.

The Palo Alto council chambers were selected because of their location in the court's judicial district and a suggestion by Associate Justice Franklin D. Elia, Palo Alto's senior assistant city attorney in the early 1980s, that the city might look favorably upon the court's request to use the council chambers when the council and city staff were not using them.

The plan to use the Palo Alto facility was implemented with Mayor Joseph H. Huber's and the council's approval and involved the cooperation of City Manager June Fleming, City Clerk Gloria Young, and members of the Palo Alto Police Department and the California Highway Patrol Judicial Security Office.

The Sixth Appellate District court hears appeals from cases decided by the trial courts of Santa Clara, Monterey, Santa Cruz, and San Benito Counties. ■

Judge Keyes Is New CJA President



Judge Dwayne Keyes

Judge Dwayne Keyes of the Superior Court, Fresno County Courts, has been elected 1997-98 president of the California Judges Association (CJA). He was sworn into office at the CJA's Annual Meeting in San Diego in September.

As CJA president, Judge Keyes is the organization's representative on the Judicial Council.

Elected as vice presidents were Judge J. Stephen Czuleger of the Los Angeles County Superior Court and Judge William H.

Stephens of the Superior Court, Marin County Courts. Los Angeles Municipal Court Judge Alban I. Niles was elected secretary-treasurer.

Judge Keyes has served on the superior court since his appointment in 1983 by Governor George Deukmejian to the then-newly created position. He served as presiding judge for three years and has been a family law, probate, and fast-track judge.

Judge Keyes continues a family tradition: his father-in-law, Robert M. Barnard, was a Fresno Municipal Court judge, and his wife Mary Jo's grandfather was former Fourth District Court of Appeal Presiding Judge Charles Barnard.

Formerly the U.S. Attorney for the Eastern District of California (Sacramento and Fresno), Judge Keyes successfully prosecuted Charles Manson follower Lynette "Squeaky" Fromme for the attempted assassination of former President Gerald Ford.



Calendar

SAVE THESE DATES

- **FEB 5–7:** The 1998 California Judicial Administration Conference will be held at the Hyatt Regency Monterey. (*See story on page 17.*)
- **FEB 27:** Family Violence and the Courts IV: A California State Conference will be held at the DoubleTree Hotel in Sacramento.
- **APR 2–3, APR 30–MAY 1, JUNE 4–5:** Mid-Level Management Conferences are scheduled throughout the state. Details will be announced as they become available.
- **MAY 13–15:** The first statewide planning conference, titled “Courts and Their Communities: Local Planning and the Renewal of Public Trust and Confidence,” will be held in Long Beach.

JUDICIAL COUNCIL MEETINGS

All Judicial Council business meetings will be held at the Administrative Office of the Courts (AOC) in San Francisco unless otherwise noted.

FEB 4 Hyatt Regency Monterey (in conjunction with the California Judicial Administration Conference)

APRIL 24 JUNE 19 AUG 14 OCT 16 NOV 20

● Contact: Secretariat and Conference Services, 415-396-9347 (CALNET 8-531-9347), e-mail: jcservices@courtinfo.ca.gov.

JUDICIAL EDUCATION

JAN 4–9 Continuing Judicial Studies Program—Winter, Oakland

JAN 29–31 Criminal Law and Procedure Institute, Oakland Marriott City Center

FEB 19–20 Probate and Mental Health Institute, San Luis Obispo

MAR 11–14 Family Law and Procedure Institute, San Diego (tentative)

MAR 13–14 1998 Judicial College Seminar Leader Training, Bodega Bay

COMPUTER CLASSES

All sessions will be held at CJER's San Francisco offices unless otherwise noted.

JAN 22–23 FEB 5–6 MAR 5–6 APR 9–10

ORIENTATION PROGRAMS

Orientation programs for new trial court judges, commissioners, and referees are scheduled as follows:

JAN 12–16 FEB 2–6 FEB 23–27 MAR 9–13 (tentative) APR 20–24

Note: Orientation sessions with insufficient enrollment will be canceled. Call CJER for the latest information.

● Contact: CJER, 415-356-6400 (CALNET 8-531-6400).

ADMINISTRATIVE EDUCATION

MAR 5–6 Building Effective Management Teams; facility and city to be announced

MAR 5–6 Budget; facility and city to be announced

● Contact: Administrative Education, 415-356-6400 (CALNET 8-531-6400).

COURT NEWS

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Editorial and circulation offices: Room 4077, 303 Second Street, South Tower, San Francisco, CA 94107, 415-396-9118 (CALNET 8-531-9118), e-mail: pubinfo@courtinfo.ca.gov.

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